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Washington, Wednesday, July 28, 1943

The President

EXECUTIVE ORDER 9364

PRESCRIBING THE STRENGTH OF THE WOMEN'S ARMY CORPS

By virtue of and pursuant to the authority vested in me by the act entitled "An Act to establish a Women's Army Corps for service in the Army of the United States", approved July 1, 1943 (Public Law 110, 78th Congress), it is hereby ordered that the total number of women enlisted or appointed in the Women's Army Corps shall not exceed two hundred thousand.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 26, 1943.

[F. R. Doc. 43-12105; Filed, July 27, 1943; 11:23 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration

[FDO 69]

PART 1405—FRUITS AND VEGETABLES

FRUIT FOR ALCOHOLIC PURPOSES

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of fruits for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1405.13 *Restrictions relative to the use of fruit*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "fruit" means apricots, blackberries, blueberries, Boysenberries, cantaloupes, cherries, currants, dates, dewberries, elderberries, gooseberries, Concord grapes, huckleberries, Johnsonberries, Loganberries, Olympic berries, peaches, pears, pineapples, plums, prunes, raspberries, strawberries, Youngberries and apples of any variety, type, or form whatsoever, including the fresh, dried, canned, frozen, or other processed or partially processed form, and the juices thereof, and such other fruits as the Director may hereafter designate, including the fresh, dried, canned, frozen, or other processed or partially processed form, and the juices thereof.

(2) The term "alcoholic product" means any product produced by fermentation, distillation, or other means, containing an alcoholic content of 7 percent or more, by volume.

(3) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(4) The term "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions.* (1) No person may use fruit for conversion into an alcoholic product for sale, unless authorized to use fruit for such purpose by (i) a person designated by the Director or (ii) by a County U. S. D. A. War Board, established pursuant to Memorandum No. 921, issued by the Secretary of Agriculture of the United States on July 5, 1941, as amended, in the county in which such fruit is available for sale for conversion into an alcoholic product. An authorization, as aforesaid, with respect to a particular lot of fruit shall be issued by the County U. S. D. A. War Board, for the county in which such fruit is available for sale for conversion into an alcoholic product, if such County U. S. D. A. War Board determines with respect to the particular lot of fruit that (i) such is unsuitable, except when converted into an alcoholic product, for human consumption; (ii) no market is available for such fruit for human consumption, except when such fruit is converted into an alcoholic product; (iii) the owner of such fruit and all previous owners, if any, have exercised all reasonable efforts to dispose of or utilize such fruit for human consumption prior to such fruit's becoming unsuitable, except when converted into an alcoholic product, for human consumption; and (iv) the granting of such permission to use the fruit for the aforesaid purpose is in accordance with such additional conditions, if any, as may be specified by the Director.

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(2) No person may sell or deliver fruit with knowledge or reason to believe that such fruit or any portion thereof thus sold or delivered is to be used in violation of this order.

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of fruit, of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(d) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Petition for relief from hardship.* Any person affected by this order or by any decision of a designee pursuant to (b) (1) (i) hereof or by a decision of a County U. S. D. A. War Board pursuant to (b) (1) (ii) hereof who considers that compliance with this order or with such decision would work an exceptional and unreasonable hardship on him, may petition the Regional Administrator of the Food Distribution Administration, War Food Administration, serving the area (8 F.R. 9315) in which the fruit is available, for conversion into an alcoholic product for sale, for relief. Petitions for such relief shall be in writing, and shall set forth all pertinent facts and the nature of the relief sought. If such person is dissatisfied with the action of the Regional Administrator, he may, by requesting the Regional Administrator therefor, secure a review of such action by the Director. The Director may, thereupon, take such action as he deems appropriate, and such action shall be final.

(f) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using fruit or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director, and may be redelegated by him to any employee of the United States Department of Agriculture.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order, except as provided in (e) hereof, shall be addressed to the Regional Administrator of the Food Distribution Administration, War Food Administration, serving the area (8 F.R. 9315) in which

the person affected by the order resides or does business.

(i) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 28, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 26th day of July 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-12121; Filed, July 27, 1943; 11:30 a. m.]

[FDO 68]

PART 1450—TOBACCO

CIGAR FILLER AND BINDER TYPES OF TOBACCO

The fulfillment of the requirements for the defense of the United States will result in a shortage in the supply of tobacco for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1450.11 *Restrictions on the purchase of cigar filler and binder types of tobacco*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "person" means an individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) The term "Director" means the Director of Food Distribution, War Food Administration.

(3) The term "tobacco" means tobacco of the 1943 crop of the cigar filler types numbered 41, 42, 43, and 44, and the cigar binder types numbered 51, 52, 53, 54, and 55, as defined in the Service and Regulatory Announcement No. 118 (7 CFR 30.1 et seq.) of the United States Department of Agriculture, promulgated by the Secretary of Agriculture on October 14, 1929.

(b) *Restrictions.* No person shall, in any manner whatsoever, purchase, contract to purchase, or accept an option to purchase tobacco during the period from the effective time hereof until August 31, 1943, inclusive.

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of tobacco of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(d) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(f) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using tobacco, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(h) *Communications.* All reports to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Food Distribution, War Food Administration, United States Department of Agriculture, Washington 25, D. C., Ref. FD-68.

(i) *Territorial extent.* This order shall apply only to the forty-eight States of the United States and the District of Columbia.

(j) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 28, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 26th day of July 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-12118; Filed, July 27, 1943; 11:30 a. m.]

[FDO 67]

PART 1460—FATS AND OILS

INEDIBLE TALLOW OR GREASE

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of inedible tallow or grease for defense and private account, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1460.27 *Restrictions relative to inedible tallow or grease*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed, or manifestly incompatible with intent thereof:

(1) The term "inedible tallow or grease" means all grades and qualities of inedible animal tallows, greases and stearines produced therefrom, excluding garbage grease, wool grease, grease (lard) oil, neatsfoot oil and stock, stearic acid and red oil.

(2) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(3) The term "manufacturer" means any person who uses inedible tallow or grease in the manufacture of any other product.

(4) The term "producer" means any person whose operations result in the production of inedible tallow or grease or a mixture of such products in any form.

(5) The term "dealer" means any person who purchases inedible tallow or grease, or mixtures of the same, in any form for resale, or who blends or mixes such products for resale.

(6) The term "inventories" means all quantities of inedible tallow, grease and mixed fatty acids produced from inedible tallow or grease, owned by a manufacturer, dealer, or producer, in addition to all undelivered purchases of inedible tallow or grease contracted to be delivered in the future, less undelivered sales of inedible tallow or grease as such. Inventory shall include all tallow, grease and mixed fatty acids derived therefrom in process up to the point at which they cease to exist as such, by reason of saponification, neutralization, pressing, distillation or compounding with nonfatty materials.

(7) The term "Director" means the Director of Food Distribution, War Food Administration, or any employee of the United States Department of Agriculture designated by such Director.

(8) The term "soap" means the water soluble product formed by the saponification or neutralization of fats, oils, rosins, or their fatty acids with organic, sodium, or potassium bases, or any detergent composition containing such products.

(b) *Restrictions on delivery, acceptance of delivery, and use.* (1) Except as otherwise specifically authorized by the Director, no person shall accept delivery of inedible tallow or grease.

(2) No producer or dealer shall deliver inedible tallow or grease during any given month to any manufacturer, not authorized by the Director to accept delivery, unless and until he has before the end of the month: (i) delivered; (ii) offered to deliver; or (iii) made provision to deliver; all inedible tallow or grease which has been ordered from him before the 10th day of the month by a manufacturer authorized to accept delivery of inedible tallow and grease: *Provided, however,* That no producer shall be obligated to deliver on certified orders in the aggregate in any calendar month more than 30 percent of his total deliveries for such month. In computing the percentage under this

paragraph (b) (2) of allowable deliveries to those persons who do not certify, each producers' plant shall be considered separately.

(c) *Exceptions to requirements of specific authorization.* (1) Notwithstanding the provisions of (b) (1) and subject to the provisions of (b) (2) hereof, specific authorization of the Director shall not be required for the delivery, acceptance of delivery, or use of inedible tallow or grease where such inedible tallow or grease is used in the manufacture of soap.

(2) Notwithstanding the provisions of (b) (1) and (2) hereof, specific authorization of the Director shall not be required for delivery, acceptance of delivery, or use by any manufacturer whose consumption or usage of inedible tallow or grease is not to exceed 5,000 pounds per month.

(d) *Applications for delivery and use.* Every manufacturer, except a soap manufacturer, seeking authorization to use or consume inedible tallow or grease, shall file Form FDA-478, with the Chief, Fats and Oils Branch, Food Distribution Administration, War Food Administration, Ref: FD 67, on or before the 15th day of the month preceding the month in which delivery is desired.

(e) *Certifications of manufacturers.* Every manufacturer who receives authorization to use inedible tallow or grease shall attach to, or include in, his purchase orders the following certificate:

The undersigned manufacturer hereby certifies to the War Food Administration, United States Department of Agriculture, and to his supplier, that the inedible tallow and grease hereby ordered has been authorized by the Director for acceptance of delivery and use, and that the amount ordered, together with his present inventory, will not exceed the inventory limitation of Food Distribution Order 67.

(Date)

(Name of purchaser)

By ---
(Authorized official)

(Title)

(f) *Inventory limitations.* (1) No manufacturer shall, after the 1st day of August 1943, have an inventory of inedible tallow or grease greater than one-fourth of the aggregate amount of inedible tallow or grease used by him during the period between October 1, 1942, and March 31, 1943.

(2) No producer shall produce or accept delivery of any inedible tallow or grease, after the effective date of this order, which will cause his inventory of inedible tallow or grease to be greater than one-twelfth of the amount produced during the period between October 1, 1942, and March 31, 1943.

(3) No dealer shall accept delivery of any inedible tallow or grease, after the effective date of this order, which will cause his inventory of inedible tallow or grease to be greater than one-twelfth of the amount delivered by him during the period between October 1, 1942, and March 31, 1943.

(4) If a person is both a producer and manufacturer his allowed inventory shall be the amount permitted him as a producer or manufacturer, whichever is greater.

(5) If, on the effective date of this order, a manufacturer's inventory exceeds the amount allowed under this order, he shall not be required to sell or dispose of the surplus, but he shall not buy or acquire in any manner any inedible tallow or grease until his inventory falls below the amount authorized by this order; *Provided, however,* That if a manufacturer's inventory on the effective date of this order exceeds the amount permitted by this order, but he does not own certain grades required by him in his manufacturing process, he may buy, for 45 days only, after the effective date of this order, a sufficient quantity of those grades of inedible tallow or grease which are necessary to maintain his manufacturing processes.

(6) If a producer or dealer is unable to sell his inedible tallows or greases at the ceiling prices listed in Office of Price Administration Revised Price Schedule No. 53, as amended, dated December 12, 1941 (7 F.R. 1309), he may increase his inventory above the inventory limitations of this order; and, a user may increase his inventory above the inventory limitation of this order by purchases of inedible tallows or greases at prices below the ceiling prices listed in Office of Price Administration Revised Price Schedule No. 53: *Provided, however,* That:

(i) If a producer or dealer exceeds the inventory limitations of this order, by reason of this exception, he shall not, thereafter, refuse or fail to deliver inedible tallows or greases to buyers offering to purchase at such ceiling prices until his inventory falls within the inventory limitations of this order; and,

(ii) No user whose inventory exceeds the inventory limitation of this order, by reason of this exception, may buy additional inedible tallows or greases at such ceiling prices until his inventory is within the inventory limitations of this order.

(7) Notwithstanding the provisions of this order, no buyer shall be required to buy, or seller to sell or ship in quantities less than normal commercial quantities, namely, tank car, tank truck, or carload or truckload in packages.

(8) Notwithstanding any of the provisions of this order a manufacturer may purchase import tallow, grease, or mixed fatty acids derived therefrom directly or from the Commodity Credit Corporation, but should such purchases cause his inventory to exceed the inventory limitation of this order he shall not buy inedible tallow or grease produced in the continental United States until his inventory is within the inventory limitation of this order.

(g) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of inedible tallow or grease of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(i) *Bureau of the Budget approval.* The reporting repuirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought, the Director may thereupon take such action as he deems appropriate, which action shall be final.

(k) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making and deliveries of, or using inedible tallow or grease, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(l) *Territorial extent.* This order shall apply to the forty-eight States of the United States and the District of Columbia.

(m) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., August 1, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 26th day of July 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-12120; Filed, July 27, 1943; 11:30 a. m.]

[FDO 66]

PART 1468—GRAINS

MALTED GRAINS AND MALT SYRUPS

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of malted grains and malt syrups for defense and private account; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1468.2 *Restrictions on use and delivery of malted grains and malt syrups*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "brewer" means any person engaged in the commercial manufacture of malt beverages in the continental United States.

(2) The term "malt beverage" means beer, ale, stout, porter, near-beer, and beverages of a similar kind, made by alcoholic fermentation of malted grain with or without other food products and with hops or hop extracts.

(3) The term "malted grain" means barley, wheat, rye, or any other grain, which has been steeped in water, germinated, and dried.

(4) The term "malt syrup" means any syrup or extract derived, in whole or in part, from malted grain.

(5) The term "minimum carload" means a rail shipment of such minimum quantity as the Office of Defense Transportation may establish as the minimum permitted carload in General Order 18, Revised (Code of Federal Regulations, Title 49, Chapter II, Part 500, subpart C, 7 F.R. 8337), as it may be amended or modified from time to time.

(6) The term "use" means, with respect to malted grain, infusion into a mash; and such term means, with respect to malt syrup, introduction into the brewing process.

(7) The term "quota period" means each consecutive three-month period extending from March 1 to May 31, inclusive; June 1 to August 31, inclusive; September 1 to November 30, inclusive; and December 1 through the last day of February.

(8) The term "base year" means the period extending from March 1, 1942, to February 28, 1943, inclusive.

(9) The term "Director" means the Director of Food Distribution, War Food Administration.

(10) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(b) *Restrictions on use.* (1) No brewer shall use, in the manufacture of malt beverages during any quota period, more than 93 percent of the quantity of malted grain, nor more than 93 percent of the quantity of malt syrup, which he used for such purpose during the corresponding period in the base year.

(2) Notwithstanding the limitations contained in (b) (1), if 93 percent of the total quantity of malted grain used by any brewer in the base year at all of the plants owned by him does not exceed 70,000 bushels, such brewer may use, during any quota period, in lieu of a quota computed pursuant to (b) (1), a total quantity of malted grain which is not in excess of 100 percent of the total quantity of malted grain used by such brewer during the corresponding three-month period of such base year: *Provided,* That the total quantity of malted grain used by such brewer during the period extending from March 1, 1943, to February 29, 1944, inclusive, or any succeeding period of 12 consecutive calendar months, shall not exceed 70,000 bushels.

(3) Notwithstanding the limitations contained in (b) (1), if the quantity of malted grain used by any brewer in the base year did not exceed 8,000 bushels, such brewer, in lieu of a quota computed pursuant to (b) (1), may use, during each quota period, a total quantity of malted grain which is not in excess of 2,000 bushels.

(4) No brewer, during any quota period, shall use more than 85 percent of his quota of malted grain, nor more than 85 percent of his quota of malt syrup in the production of malt beverages containing an alcoholic content in excess of 3.2 percent by weight.

(5) No brewer, unless authorized by the Director, shall sell or deliver, during any quota period, malt beverages having an alcoholic content of 3.2 percent or less, by weight: *Provided,* That any brewer, without authorization from the Director, may sell or deliver, during any quota period, any malt beverages containing 3.2 percent or less of alcohol, by weight, in excess of a quantity of such beverages equal to 15 percent of his total production of all malt beverages in the same quota period.

(6) The quotas computed pursuant hereto by a brewer owning or operating more than one plant shall be deemed to be assigned to each plant separately.

(7) Any brewer may substitute malt syrup for malted grain, in which event he shall deduct 10 pounds from the amount of his malted grain quota for every 8 pounds of malt syrup so substituted. Any brewer may substitute malted grain for malt syrup, in which event he shall deduct 8 pounds from the amount of his malt syrup quota for every 10 pounds of malted grain so substituted.

(c) *Restrictions on inventory.* (1) No brewer shall purchase or accept delivery of a quantity of malted grain which will cause the total quantity of malted grain owned by such brewer, or in his possession, to exceed 4,000 bushels or 10 percent of the quantity of malted grain used by such brewer in the production of malt beverages in the calendar year 1942, whichever amount is the greater.

(2) No brewer shall purchase or accept delivery of a quantity of malt syrup which will cause the total quantity of malt syrup owned by such brewer, or in his possession, to exceed 10 percent of the quantity of malt syrup used by such brewer in the production of malt beverages in the calendar year 1942.

(3) Nothing in this order shall be construed to require delivery of less than a minimum carload of malted grain and any brewer owning or having under his control less than his permitted inventory of malted grain may purchase and accept delivery of a minimum carload of such grain.

(4) The restrictions of this paragraph shall not apply to any brewer who is engaged in the business of producing malted grain.

(5) Any brewer having an inventory which is in excess of that permitted by this order is not required by this order to dispose of such excess and may retain it and use it at any time, as permitted in (b) hereof.

(d) *Carrying over of quotas.* Use and inventory quotas may be carried over from one quota period to another quota period only with the written permission of the Director. Application for such permission shall be made by letter setting forth the pertinent facts, the relief requested, and the reasons why such relief should be granted. Any brewer who has, at the end of any quota period, an unused quota balance insufficient to produce a full brew may carry that balance over into the next succeeding quota period, and add such amount to his quota for such succeeding quota period, without specific permission, notwithstanding the foregoing restrictions.

(e) *Reports required.* Each manufacturer of malted grain shall correctly complete Form FDO 66-1 for each month and submit such completed form to the Director of Food Distribution, War Food Administration, Washington, D. C., Ref. FD 66, on or before the 10th day of the following month. (This reporting requirement has been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.)

(f) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of malted grains and malt syrups, of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(g) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(i) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using malted grains and malt syrups, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director, and may be redelegated by him to any employee of the United States Department of Agriculture.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the War Food Administrator, United States Department of Agriculture, Washington, D. C., Ref. FD 66.

(l) *Conservation Order M-288, as amended, superseded.* This order supersedes in all respects Conservation Order M-288, as amended, issued by the War Production Board, except that as to violations of said order, as amended, or rights accrued, liabilities incurred, or appeals taken, under said order, said Conservation Order M-288, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding, with respect to any such violation, right, or liability. Any appeal pending under said Conservation Order M-288, as amended, shall be considered under paragraph (h).

(m) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., July 28, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 26th day of July 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-12119; Filed, July 27, 1943; 11:30 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—War Food Administration, Packers and Stockyards [1]

Part 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

PLATTE VALLEY LIVESTOCK CO-OPERATIVE MARKETING ASSOCIATION

It has been ascertained that the Lane Livestock Commission Company, Scottsbluff, Nebraska, posted on August 31, 1936, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, the name of which was changed on the list of posted stockyards in 9 CFR 204.1 by order of the Secretary of Agriculture on October 9, 1940, to the Platte Valley Livestock Commission Company stockyard, is now owned and operated by the Platte Valley Livestock Co-Operative Marketing Association, and that the name of the yard is now the Platte Valley Livestock Co-Operative Marketing Association. Therefore, notice of such facts is given to its owners and to the public, and the name of the stockyard changed to the Platte Valley Livestock Co-Operative Marketing Association on the list of posted stockyards in 9 CFR 204.1.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C., this 26th day of July 1943.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 43-12086; Filed, July 26, 1943; 4:34 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5287]

PART 19—INCOME TAX UNDER INTERNAL REVENUE CODE

INCOME OF ESTATES AND TRUSTS DISTRIBUTED TO LEGATEES AND BENEFICIARIES

Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.], relating to the income tax under the Internal Revenue Code, are amended as follows:

PARAGRAPH 1. Section 19.162-1, as amended by Treasury Decision 5215, approved January 19, 1943, is amended as follows:

(A) There is stricken out that portion of the fourth paragraph which reads:

There is taxable to the estate or to the trust, unless it be taxable to the grantor of the trust (see §§ 19.166-1 and 19.167-1)

and there is inserted in lieu thereof the following:

There is included in the income of the estate or the trust, unless it is included in the income of the grantor of the trust (see §§ 19.166-1 and 19.167-1)

(B) The last sentence of the fourth paragraph is changed to read as follows:

In all such cases the tax with respect to such income included in the income of the estate or trust for its taxable year is payable by the fiduciary, except where the income is taxable to the grantor of the trust or where, as provided in the next paragraph, it is deductible by the estate or trust for such taxable year (and is includible in the income of the legatee or beneficiary).

(C) The eighth paragraph is amended by changing the ninth sentence thereof to read as follows:

A statutory allowance paid a widow is not deductible from gross income, except to the extent that under the principles of section 19.162-2 such allowance is taxable to the widow.

(D) The ninth paragraph is amended by changing the second sentence thereof to read as follows:

If the tax has been properly paid on the net income of an estate or trust for any taxable year, the net income on which the tax is so paid is not, generally, in the hands of the distributee thereof (the legatee, heir, or beneficiary) taxable as income to him, but such income, to the extent it becomes payable in a subsequent taxable year of the estate or trust to the distributee after the first 65 days of such subsequent taxable year, may be required to be included in the income of the distributee under section 162 (d) (2). See § 19.162-2 (b).

PAR. 2. Section 19.162-2, as added by Treasury Decision 5215, is amended as follows:

(A) The first sentence of paragraph (a) is amended by changing the parenthetical clause therein to read as follows: "(for example, by the terms of the trust instrument or will)".

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[1] This chapter formerly designated as Food Distribution Administration.

(B) The third paragraph of paragraph (a) is changed by amending the third sentence thereof to read as follows:

"Net income", as thus used, means the statutory net income of the trust under the Code before the application of section 162 (b) and (c) (but, as stated in the preceding sentence, such amount is to be reduced by the deductions allowed under paragraphs (b) and (c) of section 162 in the case of amounts to which section 162 (d) (1) does not apply).

(C) The heading and first paragraph of paragraph (b) (including examples (1) and (2) thereof) are changed to read as follows:

(b) *Allocation among income beneficiaries and legatees.* Section 162 (d) (2), as added by the Revenue Act of 1942, applies in cases where income of the estate or trust for any period becomes payable on a date more than 65 days after the beginning of its taxable year. It applies in every case where income of the estate or trust is paid, credited, or to be distributed to a legatee, heir, or beneficiary, other than a legatee, heir, or beneficiary to whom paragraph (a) of this section applies or a legatee, heir, or beneficiary of a lump sum gift, bequest, devise, or inheritance. This subsection, and not paragraph (a), applies to income paid, credited, or to be distributed to a legatee who, in addition to any part of the principal of an estate, is entitled to receive any income during the administration of the estate or upon its termination, whether payment of such income is made in accordance with directions in the will, or for support as allowed under State law, or by the administrator to the residuary legatee in the ordinary course of administration. The rule stated in the preceding sentence, however, has no application in cases where income may be paid, credited or is to be distributed under an obligation to pay an amount periodically at all events, whether or not income is available, as in the ordinary case of an annuity. Section 162 (d) (2) also has no application in determining the amount to be included in the income of the estate or trust under section 161 but applies only in determining the amount allowed as deductions under section 162 (b) and (c).

Section 162 (d) (2) applies whether amounts are paid, credited, or to be distributed out of the income of the estate or trust for its current taxable year or out of the income for any period. It includes a rule for allocating income of the estate or trust to the legatees or beneficiaries in cases in which the income of a prior period is paid, credited, or to be distributed to the legatee or beneficiary during the taxable year of the estate or trust. In the absence of proof that any particular period of time is the source of an amount of income which becomes payable within the taxable year, the period from which such income is derived will be presumed to be a period ended with the date the income becomes payable. In such a case the year ended with the date the income becomes payable shall be considered the last 12 months of such period (whether or not other distributions under this subsection have been made during such last 12 months) and the income which becomes payable shall be considered as derived from the most recently accumulated income for such period.

As used in section 162, the term "income which becomes payable" means income to which the legatee, heir, or beneficiary has a present right, whether or not such income is actually paid. Such right may be derived from the directions in the trust instrument or will to make distributions of income at a certain date, or from the exercise of the fiduciary's discretion to distribute income, or from a recognized present right under the local law to obtain income or compel a distribution of income. Income is not considered to become payable within a taxable year where during the entire taxable year there is only a future right to such income. For example, under valid terms of a trust instrument, income received by a trust during its taxable year is to be accumulated until the 21st birthday of the beneficiary (or his prior death), at which time the accumulated income is to be distributed to the beneficiary (or his estate, as the case may be). In such case, the income of the trust received in any taxable year prior to the taxable year of the trust in which the date of distribution occurs (the beneficiary's 21st birthday or his prior death) is not income which becomes payable within such prior taxable year but is income which becomes payable in the taxable year of the trust in which the date of distribution occurs. In any case, income becomes payable at a date not later than the date it is actually paid for the use of the distributee.

The application of section 162 (d) (2), in general, may be illustrated by the following examples:

Example (1). An existing trust makes its returns on the cash receipts and disbursements basis and on the basis of a calendar year accounting period. Under the terms of the trust and the local law (which allows accumulations) the income of the trust for the period of 12 months ended June 30 of each year is accumulated and the beneficiary has no right to such income until the last day of such period (June 30). For the purpose of the tax for 1941, the entire gross income received by the trust in 1941 is required to be included in its income for 1941, and, under the law applicable to 1941, the 1941 trust income distributable on June 30, 1941, is allowed as a deduction, but the 1941 trust income not distributable until June 30, 1942, is not allowable as a deduction for 1941. For the purpose of the tax for 1942, the entire gross income received by the trust in 1942 will be included in its income for 1942. Under section 162 (d) (2), the trust income for the 12 months ending June 30, 1942, which, under the terms of the trust instrument, is available for distribution on such date, will be considered for the purposes of section 162 (b) as income for the taxable year 1942 which becomes payable on June 30, 1942, and, accordingly, will be deducted by the trust for 1942. Assuming the beneficiary makes his income tax returns on the calendar year basis, he will include this amount deducted by the trust in 1942 in his income for 1942. The same process will be repeated each year thereafter as long as the accounting periods and the distribution date remain the same. Thus if, in such a case, the entire net income of the trust (determined before the application of section 162 (b)) is available for distribution and the trust receives each month $100 of such income available for distribution, for 1941 the trust will have $600 of taxable net income (before credits), that is, the excess of the $1,200 income over the $600 deduction for the June 30, 1941, distribution. For the taxable year ended December 31, 1942, the trust will include $1,200 in its income, which is its actual income for 1942 determined under section 161 without inclusion of that part of the 1941 income distributed on June 30, 1942, and without exclusion of that part of the 1942 income distributable on June 30, 1943. Assuming that the income distributable on June 30, 1942, is not to be reduced under the trust instrument and State law by the amount of tax paid by the trust with respect to the 1941 income included in such distribution, the trust will be allowed a deduction in computing its tax for 1942 of the whole $1,200 which becomes payable on June 30, 1942, and which is included in the beneficiary's income for 1942. Thus, for 1942 the trust will pay no income tax and the beneficiary will include $1,200 in computing his net income.

Example (2). An estate which came into being on January 1, 1941, accumulates the income received (as is allowed under the local law) until June 30, 1942, at which time the executor distributes $6,000 of income to the residuary legatee. The balance of the accumulated income becomes payable under the local law on December 31, 1942, the date the administration of the estate is terminated, and a final distribution of $18,000 of income is then made to the residuary legatee. It is established that the estate, which was on a cash basis, received net income, which it accumulated during the administration of the estate, at the rate of $1,000 a month, but in making the distributions to the residuary legatee the executor did not attempt to identify such distributions with the income received during any particular period during the administration of the estate. Upon such facts, for the taxable year 1942, the distribution on June 30, 1942, of $6,000 will be presumed to be a distribution out of the most recently accumulated income of the estate, that is, for the first six months of 1942, and the final distribution of $18,000 on December 31, 1942, will be considered a distribution out of the income for the entire period of administration, of which the last 12 months is the calendar year 1942 and the most recently accumulated income is the $6,000 for the last six months of 1942. Accordingly, for 1942 the estate will take a deduction of $12,000 and the legatee will include the same amount (out of the total of $24,000 received) in his income, by reason of the

distributions on June 30 and December 31, 1942.

Example (3). Under the terms of the will of X, who died in 1940, after payment of expenses and specific bequests, the residue of his estate (which will include the undistributed income for the period of administration) is to be divided into two equal shares and one of such shares is to be paid over to his widow and the other such share is to be paid over to a testamentary trust for the benefit of his children. During the period of administration, the estate makes its returns on the calendar year basis. The administration of the estate is terminated on June 30, 1942, at which date equal shares of the principal and the income (which under the local law first became payable at such date) are transferred in accordance with the terms of the will to the widow and to a trust established as of such date. With the application of section 162 (d) (2) the widow and the trust will each include in their income tax returns filed for their first taxable years ending on or after June 30, 1942, one-half of the income of the estate for the 12 months preceding June 30, 1942. This distribution will include the income of the estate for the last six months of 1941 upon which the estate may already have paid tax for 1941, but such income may, if under the local law the Federal income tax is a charge against such income, be reduced by the amount of Federal income tax attributable to such income and paid for 1941 by the estate. The return of the estate for 1942 will show a deduction of the amount of the income for the 12 months preceding June 30, 1942, which is includible in the income of the widow and the testamentary trust.

(Secs. 62 and 162 of the Internal Revenue Code (53 Stat. 32, 66; 26 U.S.C., 62, 162) and sec. 111 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.).)

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: July 26, 1943.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-12123; Filed, July 27, 1943; 11:34 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-2054]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for coals produced at certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 322.23 (*General prices*) is amended by adding thereto Supplement R, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final August 10, 1943.

Dated: July 17, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos.															
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2722	Buffalo Valley Coal Company (Richard M. Graff).	Elizabeth (s)	L. Kittanning	1	Worthington, Pa.	B&O	15	E	E	D	D	C	C	D	D	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2726	Cornish, Carl & W. P. Dickerson (Carl Cornish).	Gleba (s)	Pittsburgh	3	Masontown, Pa.	Mongh	30	(†)	(†)	(†)	(†)	(†)	D	D	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2724	Dearth Coke Company (Lawrence Parshall).	Conn (s)	Pittsburgh	3	Crawford #3 Mine, Pa.	B&O-PRR	114	(†)	(†)	(†)	(†)	(†)	D	D	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2108	Franc, Ed. (The Ed. Franc Company).[1]	Shirley #1 (s)[1]	Brookville	1	Stoneboro, Pa.	NYC	101	J	J	H	H	H	H	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)	(†)
843	Frederick & McCormick (C. G. McCormick).[1]	Frederick	U. Freeport	1	Kaylor, Pa.	WA-B&LE	25	F	F	E	E	E	E	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2729	Latrobe Construction Co. (B. Ferrari).	Ferrari #4 (s)	U. Freeport	5	Latrobe, Pa.	PRR	67	F	F	E	E	E	E	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2710	Moser, Homer	Moser (s&d)	Pittsburgh	3	York Run, Pa.	B&O-PRR	114	(†)	(†)	(†)	(†)	(†)	D	D	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2725	Moser, Homer	Moser #2 (s)	Sewickley	3	York Run, Pa.	B&O-PRR	114	J	J	H	H	H	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2653	Rizzo Coal Company (O. M. McClain).[1]	Rizzo	Pittsburgh	3	Point Marion, Pa.	B&O	80	F	F	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2306	Stanislav, Steve[1]	St. Clair 2nd Hill.	Pittsburgh	6	Ft. Palmer, Pa.	Lig. Val	10	G	G	G	G	H	H	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2342	Taylor Coal Co. (Edwin J. Taylor).[1]	Merryman (Sewickley).	Sewickley	3	Masontown, Pa.	Mongh	30	J	J	H	H	H	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2727	Williams & Brautegam (George E. Williams).	Douglass (s)	Pittsburgh	9	Douglass, Pa.	P&LE	73	D	D	C	C	C	C	C	C	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classifications for these size groups.
[1] Indicates change in name.

NOTE: In § 322.9 (c) in Minimum Price Schedule No. 1 for District No. 2 add these mine index numbers to the groups shown. Group No. 1: 2727; Group No. 6: 2710, 2724; Group No. 7: 2653, 2726; Group No. 8: 2342, 2725; Group No. 14: 2306, 2729; Group No. 15: 843; Group No. 19: 2108; Group No. 22: 2722.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes										
				Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ¾" x 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack
				1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY														
Keisling, Elizabeth [1]	587	Keisling	Pittsburgh	305	295	285	260	240	240	230	240	210	200	190
Swisher, Harry A. & Andrew B. Clapper (Harry A. Swisher).[1]	1688	Rock Run [1]	Pittsburgh	305	295	285	260	240	240	230	240	210	200	190
Williams & Brautegam (George E. Williams).	2727	Douglass (s)	Pittsburgh	330	320	310	290	270	260	255	265	230	220	195
ARMSTRONG COUNTY														
Buffalo Valley Coal Company (Richard M. Graff).	2722	Elizabeth (s)	L. Kittanning	290	280	270	250	245	235	220	225	205	195	185
BUTLER COUNTY														
Frederick & McCormick (C. G. McCormick).[1]	843	Frederick	U. Freeport	345	320	310	305	295	280	260	260	215	205	195
FAYETTE COUNTY														
Cornish, Carl & W. P. Dickerson (Carl Cornish).	2726	Gleba (s)	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Dearth Coke Company (Lawrence Parshall).	2724	Conn (s)	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Ewing, Harry E	2723	Ewing	Pittsburgh	320	310	300	280	260	250	245	250	230	220	195
Moser, Homer	2725	Moser #2 (s)	Sewickley	295	285	275	260	240	230	230	230	215	210	195
Rizzo Coal Company (O. M. McClain).[1]	2653	Rizzo	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Taylor Coal Co. (Edwin J. Taylor) [1]	2342	Merryman (Sewickley).	Sewickley	295	285	275	260	240	230	230	230	215	210	195
MERCER COUNTY														
Franc, Ed. (The Ed. Franc Company).[1]	2108	Shirley #1 (s) [1]	Brookville	345	330	310	295	290	275	275	260	205	195	180
WESTMORELAND COUNTY														
Hilltop Coal Company (Orlen H. King).[1]	1711	Hilltop Coal Co.[1]	Pittsburgh	305	295	285	260	240	240	240	240	210	200	190
Latrobe Construction Co. (B. Ferrari).	2729	Ferrari #4 (s)	U. Freeport	300	290	280	270	250	240	240	235	215	205	195
Nelis & Baird (James E. Nelis) [1]	3035	Andrew [1]	Pittsburgh	300	290	280	265	260	250	230	235	215	205	195
Stanislav, Steve [1]	2306	St. Clair 2nd Hill	Pittsburgh	285	275	265	255	245	240	235	225	205	195	185

[1] Indicates change in name.

[F. R. Doc. 43-11947; Filed, July 26, 1943; 11:09 a. m.]

[Docket No. A-2068]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2 and for other relief.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines; for change of the names of code member producers to H. J. Christy; Crawford-Whyel Coal Co. (Donald B. Whyel); Joseph E. Gross, (Beacon Fuel Co.); Pointvue Coal Company; John W. Provance; Taylor Coal Co. (Edwin J. Taylor); and E. J. Howard and Eugene P. (E. J. Howard); for the change of mine names to Crawford Whyel #1; Ward #6; and Provance #2 and to add to page 37 of Price Schedule No. 1 the following Mine Index Numbers in Group No. 2, 1788; in Group No. 7, 2145, 2311, 2382, 2496, 2731; in Group No. 8, 2342; in Group No. 20, 2494; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R-II, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final on August 10, 1943, unless it shall otherwise be ordered.

Dated: July 19, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1788	Barati, Joseph	Barati	Pittsburgh	7	Taylors Dump, Pa.	Union	76	(†)	C	C	C	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2494	Christy, H. J.[1]	V. G. #1 (s)	Pittsburgh	2	Saltsburg, Pa	PRR	90	F	F	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2311	Crawford Whyel Coal Co. (Donald B. Whyel) [1]	Crawford Whyel #1 [1].	Pittsburgh	3	Martin Cling. Plant, Martin, Pa.	Mongh	30	E	E	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2731	Downey, Agnes T. (Mrs.)	Mabel (d & s)	Pittsburgh	3	Poland, Pa	Mongh	30	F	F	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2731	Downey, Agnes T. (Mrs.)	Mabel (d & s)	Pittsburgh	3	Moffitt Platform, Pa.	Monon	River	F	F	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2145	Gross, Joseph E. (Beacon Fuel Co.) [1]	Ward #6 [1]	Pittsburgh	3	Sackett, Pa	B & O	80	(†)	(†)	(†)	(†)	(†)	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2496	Pointvue Coal Company [1]	Little Run	Pittsburgh	3	Pt. Marion, Pa	B & O	80	F	F	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2382	Provance, John W.[1]	Provance #2 [1]	Pittsburgh	3	Martin, Pa	Mongh	30	(†)	(†)	(†)	(†)	)†)	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2342	Taylor Coal Co. (Edwin Taylor) [1]	Merryman (Sewickley)	Sewickley	3	Masontown, Pa	Mongh	30	J	J	H	H	H	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classifications effective for these size groups.
[1] Indicates change in name.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II.

NOTE: In § 322.9 (c) in Minimum Price Schedule No. 1, add the mine index numbers in groups shown. Group No. 2: 1788; Group No. 7: 2145, 2311, 2382, 2496, 2731; Group No. 8: 2342; Group No. 20: 2494.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes: Lump over 4" (1)	Lump 4" (2)	Lump 3" (3)	Lump 2" (4)	Egg 2" x 4" (5)	Stove 1" x 4" (6)	Pea ¾" x 1¼" (7)	Run of mine (8)	2" N/S (9)	1¼" slack (10)	¾" slack (11)
ALLEGHENY COUNTY														
Dines, Louis	2735	Dines #2	Pittsburgh	330	320	310	285	255	255	245	265	210	200	190
Hoffman, James A	2733	Hoffman (s)	U. Freeport	305	295	285	260	240	240	240	240	210	200	190
ARMSTRONG COUNTY														
Christy, H. J.[1]	2494	V. G. #1 (s)	Pittsburgh	295	285	275	255	245	240	235	235	215	205	195
FAYETTE COUNTY														
Crawford Whyel Co. (Donald B. Whyel).[1]	2311	Crawford Whyel #1.[1]	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Gross, Joseph E. (Beacon Fuel Co.).[1]	2145	Ward #6 [1]	Pittsburgh	300	290	280	265	245	230	230	230	220	215	195
Pointvue Coal Company [1]	2496	Little Run	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Provance, John W.[1]	2382	Provance #2 [1]	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Taylor Coal Co. (Edwin J. Taylor).[1]	2342	Merryman (Sewickley).	Sewickley	295	285	275	260	240	230	230	230	215	210	195
GREENE COUNTY														
Downey, Agnes T. (Mrs.)	2731	Mabel (d&s)	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
WESTMORELAND COUNTY														
Baker, H. G	2728	Hoover #5	Pittsburgh	310	300	290	280	260	250	250	245	225	215	195
Boyle, Arthur J	2730	Margaret	Pittsburgh	310	300	290	280	260	250	250	245	225	215	195
Fox, H. E	2732	H. E. Fox #2	Pittsburgh	300	290	280	265	260	250	230	235	215	205	195
Howard, E. J. & Eugene P. (E. J. Howard).[1]	3084	Stewart (s)	Pittsburgh	330	320	310	290	270	260	255	265	230	220	195
Peterson & Sillaman (Jay B. Peterson).	2734	Sillaman	Pittsburgh	310	300	290	280	260	250	250	245	225	215	195

[1] Indicates change in name.

[F. R. Doc. 43-11945; Filed, July 26, 1943; 11:06 a. m.]

[Docket No. A-2073]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for rail shipments and changes in the shipping points for the coals of certain mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and changes in the shipping points for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, and § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the

temporary relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final August 10, 1943, unless it shall otherwise be ordered.

Dated: July 19, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R-I

[Alphabetical listing of code members having railway loading facilities showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos.															
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2494	Christy, H. J.	V-G Strip #1 (s)	Pittsburgh	2	Avonmore, Pa.[1]	PRR	90	F	F	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
843	Frederick & McCormick (C. G. McCormick).	Frederick	U. Freeport	1	Kaylor, Pa.	W.A.	[2]21	F	F	E	E	E	E	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2214	Slater & Hegedus (Sam Slater).	S. & H. (d)	Sewickley	3	Dilliner, Pa.[1]	Mongh.	30	J	J	H	H	H	H	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classifications in these size groups.
[1] Indicates change in Shipping Point.
[2] Indicates change in Freight Origin Group Number.

NOTE: The above classifications are applicable only via the respective Freight Origin Group numbers, Shipping Points and Railroads shown for these mines. Freight Origin Group numbers, Shipping Points and Railroads previously assigned are no longer applicable.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R-II.

NOTE: In § 322.9 (c) in Minimum Price Schedule No. 1 for District No. 2, add the following Mine Index Numbers to the groups shown: Group No. 8: 2214; Group No. 15: 843; Group No. 20: 2494.

[F. R. Doc. 43-11946; Filed, July 26, 1943; 11:07 a. m.]

[Docket No. A-2057]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for coals of certain mines in District No. 3.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final on August 10, 1943, unless it shall otherwise be ordered.

Dated: July 16, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group Nos.]

Mine Index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
377	Allegheny Coke Company, Inc.[1]	Island Run [1]	U. Kittanning	Gage, W. Va	WM	33	J	J	J	J	J	J	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)
1435	Grafton Coal Company	Harrison (s)	Pittsburgh	Rosebud, W. Va	B&O	62	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1436	Jenkins, Earl B. (Hunter Fork Coal Company).	Oak (s)	Pittsburgh	Simpson, W. Va	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
45	Katherine Coal Mining Company.[1]	Katherine #4 [1]	Pittsburgh	Lumberport, W. Va	B&O	62	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1433	Kiernan, Charles	Lewis #2 (s&d)	Pittsburgh	Wolf Summit, W. Va	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
429	Mack Coal Company (B. J. McDermott, Jr.) [1]	Calder #1 (s)	Bakerstown	Kingwood, W. Va	WVN	71	G	G	G	G	G	G	G	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)
766	Martin, H. Bruce (Martin Sewell Coal Company).	Martin #1	Sewell	Dailey, W. Va.[2]	WM	33	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
1437	Stout, H. V. (Hilltop Coal Co)	New (s)	Pittsburgh	Clarksburg, W. Va	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1434	Surface Mining Corp	Orchard (s)	Pittsburgh	Rosebud, W. Va	B&O	62	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1438	Vincent Coal Co., Inc. c/o J. E. Vincent.	Lewis #1 (s)	Pittsburgh	Wolf Summit, W. Va	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
143	Waddell, D. H.[1]	Waddell	Pittsburgh	Newburg, W. Va	B&O	70	H	H	H	H	H	H	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classifications in these size groups.
[1] Indicates change in name.
[2] Indicates change in Shipping Point.

NOTE: The above classifications are applicable only via the respective Shipping Points, Railroads and Freight Origin Group numbers shown. Shipping Points, Railroads and Freight Origin Group numbers previously assigned are no longer applicable.

NOTE: In § 323.8 (b) and § 323.8 (c) in Minimum Price Schedule No. 1 for District No. 3 add these mine index numbers to the groups shown. Group No. 1: 45, 143, 1433, 1434, 1435, 1436, 1437, 1438; Group No. 3: 377; Group No. 5: 766; Group No. 6: 429.

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine Index No.	Mine	Seam	County	Size groups: Lump over 2", egg over 2" bottom size (1)	Lump 2", egg 2", bottom size but over 1¼" (2)	Lump 1¼" and under, egg 1¼" and under, bottom size (3)	All nut and pea 2" and under (4)	Run of mine resultant over 2" (5)	1¼" and 2" slack (6)	¾" slack (7)
Allegheny Coke Company, Inc.[1]	377	Island Run [1]	U. Kitt	Barbour	228	223	223	198	198	188	178
Board of Education of Preston County.[1]	1372	Riley #4	M. V. Free	Preston	245	245	245	220	220	210	200
Grafton Coal Company	1435	Harrison (s)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Jenkins, Earl B. (Hunter Fork Coal Company).	1436	Oak (s)	Pittsburgh	Taylor	243	238	238	213	213	198	188
Katherine Coal Mining Company.[1]	45	Katherine #4 [1]	Pittsburgh	Harrison	243	238	238	213	213	198	188
Kiernan, Charles	1433	Lewis #2 (s&d)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Mack Coal Company (B. J. McDermott, Jr.)[1]	429	Calder #1 (s)	Bakerstown	Preston	255	255	255	230	230	220	210
Milton, Matthew	1439	Wright	Redstone	Lewis	243	238	238	213	203	198	188
Stout, H. V. (Hilltop Coal Co.).	1437	New (s)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Surface Mining Corp	1434	Orchard (s)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Vincent Coal Co., Inc. c/o J. E. Vincent.	1438	Lewis #1 (s)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Waddell, D. H.[1]	143	Waddell	Pittsburgh	Preston	250	250	250	225	225	215	205

[1] Indicates change in name.

[F. R. Doc. 43-11949; Filed, July 26, 1943; 11:06 a. m.]

[Docket No. A-2074]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines located in District No. 3; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final August 10, 1943, unless it shall otherwise be ordered.

Dated: July 20, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos.															
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1433	Clarksburg Coal Corporation.[1]	Lewis #2 (s)	Pittsburgh	Wolf Summit, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1022	Dunn, Bryan	Wolfe	Pittsburgh	Morgantown, W. Va.	Mongh	52	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1022	Dunn, Bryan	Wolfe	Pittsburgh	Granville, W. Va.	Monon	River	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
1432	Harris, Brent	Harris #1	Redstone	Buckhannon, W. Va.	B&O	31	F	F	F	F	F	H	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
130	Lloyd Coal Co.[1]	Robinson Run #1.	Pittsburgh	Maidsville, W. Va.	Mongh	52	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
473	Mutual Mining Co., Inc.[1]	No. 1 (s)	Bakerstown	Kingwood, W. Va.	B&O	70	G	G	G	G	G	G	G	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)
1440	Producers Oil & Gas Associates (C. G. Squires).	Montana (s)	Pittsburgh	Fairmont, W. Va.	Mongh	52	DE	DE	DE	DE	DE	DE	DF	DF	DF	DF	B	B	B	B	B	B
52	South Union Coal Co.[1]	Jamison #11	Pittsburgh	Brady, W. Va.	Mongh	52	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
6 3	Zuchowski, Edw. W.	Victory	M. V. Freeport	Towson, W. Va. (Victory Siding).	WVN	71	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classifications in these size groups.
[1] Indicates change in name.

NOTE: In § 323.8 (b) and § 323.8 (c) in Minimum Price Schedule No. 1 for District No. 3 add these mine index numbers to the respective groups shown. Group No. 1: 52 (a), 130 (a), 1022 (a), 1433, 1440 (a); Group No. 2: 1432; Group No. 3: 693; Group No. 6: 473.

NOTE: To Note No. 1 in § 323.8 (b) in Minimum Price Schedule No. 1 for District No. 3 add Mine Index Nos. 52, 130 1022 and 1440. These Mines shall be priced at 15 cents less than shown for coal consigned to the Erie, P&LE and New York Central Railroads only.

NOTE: For River and Ex-River shipments, Mine Index number 1022 will take the same prices as mines having Index Nos. 42, 54, 100, 106, 113, 119, 121, 127, 130, 132, 1219 1226 and 1233 as shown in § 323.8 (e) and § 323.8 (f) in Minimum Price Schedule No. 1 for District No. 3 and Docket No. A-1059 with adjustments thereto.

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	County	Size groups						
					Lump over 2", egg over 2", bottom size	Lump 2", egg 2", bottom size, but over 1¼"	Lump 1¼" and under, egg 1¼" and under bottom size	All nut and pea 2" and under	Run of mine resultant over 2"	1¼" and 2" slack	¾" slack
					1	2	3	4	5	6	7
Blaney & Trader (Wilbert Blaney) [1]	704	West Run [1]	Pittsburgh	Monongalia	243	238	238	213	213	198	188
Clarksburg Coal Corporation.[1]	1433	Lewis #2 (s)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Harris, Brent	1432	Harris #1	Redstone	Upshur	243	238	238	213	203	198	188
Lloyd Coal Company [1].	130	Robinson Run #1	Pittsburgh	Monongalia	243	238	238	213	213	198	188
Mutual Mining Co., Inc.[1]	473	No. 1 (s)	Bakerstown	Preston	255	255	255	230	230	220	210
Producers Oil & Gas Associates (C. G. Squires).	1440	Montana (s)	Pittsburgh	Marion	243	238	238	213	213	198	188
South Union Coal Co.[1]	52	Jamison #11	Pittsburgh	Monongalia	243	238	238	213	213	198	188
Post, Thomas	1431	Thomas #1	Pittsburgh	Upshur	243	238	238	213	213	198	188
Zuchowski, Edw. W.	693	Victory	M. V. Free	Preston	245	245	245	220	220	210	200

[1] Indicates change in name.

[F. R. Doc. 43-11948; Filed, July 26, 1943; 11:06 a. m.]

[Docket No. A-1262]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

MEMORANDUM OPINION AND ORDER

Memorandum opinion and order of the director in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

On June 7, 1943, after notice and hearing, W. A. Cuff, a duly designated Examiner of the Bituminous Coal Division, filed a report in which he found that the temporary price classifications and minimum prices heretofore granted by order, dated January 24, 1942, 7 F.R. 1001, and extended by order, dated March 25, 1942, 7 F.R. 2405, for the coals produced by the Red Jacket No. 9 Mine (Mine Index No. 5246) of the Red Jacket Coal Corporation, located in Wyoming County in Subdistrict No. 5 (Logan), in District 8, should be terminated and that price classifications and minimum prices should be established for the coals produced by this mine, as therein provided. The Examiner recommended that an order be entered amending the Schedules of Effective Minimum Prices for District No. 8 For All Shipments Except Truck and For Truck Shipments in conformity therewith.

An opportunity to file exceptions to the Report of the Examiner was afforded all interested parties. As of the date hereof no such exceptions have been filed.

I have considered the entire record in this proceeding, including the Report of the Examiner, and I find that the Examiner's proposed findings and conclusions are adequate and accurate and that his recommendation should be followed. Accordingly, I have concluded to approve and adopt the proposed findings of fact and conclusions of law of the Examiner as the findings of fact and conclusions of law of the Director.

Upon the basis of the entire record in this proceeding, and pursuant to section 4 II (d) and other provisions of the Bituminous Coal Act of 1937,

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and the conclusions of law of the Director;

It is further ordered, That the temporary price classifications and minimum prices heretofore granted by order, dated

January 24, 1942, 7 F.R. 1001, and extended by order, dated March 25, 1942, 7 F.R. 2405, for the coals produced by the Red Jacket No. 9 Mine (Mine Index No. 5246) of the Red Jacket Coal Corporation, located in Wyoming County of Subdistrict No. 5 (Logan) in District 8, is hereby terminated.

It is further ordered, That § 328.11 (*Alphabetical list of code members*) and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) in the Schedules of Effective Minimum Prices For District No. 8 For All Shipments Except Truck and For Truck Shipments are hereby amended by establishing price classifications and minimum prices for the coals produced by the Red Jacket No. 9 Mine (Mine Index No. 5246) of the Red Jacket Coal Corporation, located in Wyoming County of Subdistrict No. 5 (Logan) in District 8, in accordance with supplements R and T, which supplements are hereinafter set forth and hereby made a part hereof.

Dated: July 15, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos.																														
								For destinations other than Great Lakes															For Great Lakes cargo only														
								1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	1, 2	3, 4	5, 6	7	8	9	10	16, 17,	18, 19, 20, 21	22	24	25	26	27
5246	Red Jacket Coal Corporation	Red Jacket No. 9	Powellton	5	Coal Mountain, W. Va.	Vgn	230	O	O	H	G	E	C	E	A	A	A	(†)	(†)	A	A	A	A	O	M	L	F	B	A	E	J	A	(†)	A	A	A	A

†Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine Index No.	Seam	Base sizes							
				Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x 4", egg 2" x 5"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 5—LOGAN WYOMING COUNTY, W. VA.											
Red Jacket Coal Corporation	Red Jacket No. 9	5246	Powellton	275	255	255	250	235	245	220	215

[F. R. Doc. 43-11950; Filed, July 26, 1943; 11:07 a. m.]

[Docket No. A-2056]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplements T-I and T-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division on or before August 7, 1943, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final on August 10, 1943, unless it shall otherwise be ordered.

Dated: July 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos.																													
								For destinations other than Great Lakes														For Great Lakes cargo only															
								1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	1, 2	3, 4	5, 6	7	8	9	10	16, 17,	18, 19, 20, 21	22	24	25	26	27
3608	Casada, Lorenzo	Casada	No. 2	6	Greenwood, Ky	CNO&TP	171	M	M	K	J	G	E	G	E	D	K	(†)	(†)	(†)	(†)	(†)	(†)	M	M	K	G	E	E	G	M	K	(†)	(†)	(†)	(†)	(†)
4155	Chapmanville Coal Company (Clarence E. Hall).	Chapmanville Coal Co.	Alma	5	Chapmanville, W. Va.	C&O	150	Q	Q	L	K	H	F	H	F	E	K	(†)	(†)	(†)	(†)	(†)	(†)	P	O	M	H	F	F	H	O	K	(†)	(†)	(†)	(†)	(†)
4168	Denny, J. W	J. W. Denny No. 2	Widow Kennedy	7	Swords Creek, Va	N&W	20	K	K	E	E	E	C	E	C	D	K	(†)	(†)	(†)	(†)	(†)	(†)	K	K	E	C	B	B	E	M	K	(†)	(†)	(†)	(†)	(†)
4167	Fields, E	Fields	Lily	6	East Bernstadt, Ky	L&N	111	M	M	K	J	G	E	G	E	D	K	(†)	(†)	(†)	(†)	(†)	(†)	M	M	K	G	E	E	G	M	K	(†)	(†)	(†)	(†)	(†)
5841	McGhee, Edwin (Mountain Coal Company).	Mountain No. 1	Elkhorn No. 3	1	Shelby, Ky.[1]	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(*)
4163	McKnight & Howard (Lindsey McKnight).	McKnight & Howard	Rim	6	Pineville, Ky	L&N	111	H	H	F	E	D	C	E	D	D	K	(†)	(†)	(†)	(†)	(†)	(†)	H	H	F	C	C	D	E	M	K	(†)	(†)	(†)	(†)	(†)
4150	Miracle, Cecil (Mile Branch Coal Co.).	Mile Branch	Straight Creek	6	Pineville, Ky	L&N	111	F	F	E	D	C	C	A	B	C	H	(†)	(†)	(†)	(†)	(†)	A	F	F	E	C	B	C	A	J	H	(†)	(†)	(†)	(†)	A
519	Stonega Coke & Coal Company.	Derby-Premix	Mar :er-Taggart-Imboden.[2]	7	Derby, Va	Inter	200	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(†)	(†)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(†)	(*)	(†)	(†)	(†)	(†)	(†)
4158	Thompson-Brown Coal Company (Lacey B. Thompson).	Patsy Ann	Thacker	8	Goodman, W. Va	N&W	130	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	P	(†)	(†)	(†)	(†)	(†)	(†)
4164	Wilson, L. A. (Wilson Coal Co.).	Wilson No. 4	Peerless	4	Dry Branch, W. Va	C&O	123	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	L	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification effective for these size groups.
*Indicates previously classified these size groups.
[1] Denotes change in shipping point. Shipping point at Pikeville, Ky., shall no longer be applicable.
[2] Denotes change in seam designation.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T-I

Code number index	Mine	Mine index No.	Seam	Base sizes							
				Lump over 2", egg 4" x 6"	Lump 2" and under egg 3" x 6"	Lump ¾" and under	Egg 2" x 4", egg 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under slack	¾" and under slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 4—KANAWHA											
KANAWHA COUNTY, W. VA.											
Wilson, L. A. (Wilson Coal Co.).	Wilson No. 4	4164	Peerless	(†)	(†)	240	(†)	(†)	230	(†)	(†)
SUBDISTRICT NO. 5—LOGAN											
LOGAN COUNTY, W. VA.											
Chapmanville Coal Company (Clarence E. Hall).	Chapmanville Coal Co.	4155	Alma	265	245	240	235	215	230	175	170
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
BELL COUNTY, KY.											
McKnight & Howard (Lindsey McKnight).	McKnight & Howard.	4163	Rim	305	285	240	260	235	230	175	170
Miracle, Cecil (Mile Branch Coal Co.).	Mile Branch	4150	Straight Creek	315	295	245	265	235	235	185	180
JACKSON COUNTY, KY.											
Cox, Druie	Bowels	4117	Sand Gap	285	265	240	240	225	230	175	170
KNOX COUNTY, KY.											
Jones, Sam & Jesse (Sam Jones).	Jones	4153	Blue Gem	355	335	255	280	245	245	165	160
LAUREL COUNTY, KY.											
Fields, E	Fields	4167	Lily	285	265	240	240	225	230	175	170
SUBDISTRICT NO. 7—VIRGINIA											
RUSSELL COUNTY, VA.											
Denny, J. W	J. W. Denny No. 2	4168	Widow Kennedy	295	275	240	260	245	230	175	170
WISE COUNTY, VA.											
Stonega Coke & Coal Company.	Derby-Premix	519	Marker-Taggart-Imboden.[1]	(†)	(†)	(*)	(†)	(†)	(*)	(*)	(*)
SUBDISTRICT NO. 8—WILLIAMSON											
MINGO COUNTY, W. VA.											
Thompson - Brown Coal Company (Lacey B. Thompson).	Patsy Ann	4158	Thacker	265	245	230	220	205	220	175	170

†Indicates no classification effective for these size groups.
*Indicates previously classified these size groups.
[1] Denotes change in seam designation.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T-II

Code member index	Mine	Mine index No.	Size designations and prices			
			Lump	Egg	Chips	Machine cuttings
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN						
LETCHER COUNTY, KY.						
Florence Mining Co., The (cannel coal)	Jno. L. Mosgrove	5371	$3.70	$3.20	$2.70	$1.80

[F. R. Doc. 43-11951; Filed, July 26, 1943; 11:06 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

PART 962—IRON AND STEEL

[Supplementary Order M-21-g as Amended July 27, 1943]

HEAT-RESISTANT CHROMIUM OR CHROMIUM-NICKEL ALLOY IRON AND ALLOY STEEL

§ 962.8 *Supplementary Order M-21-g*—(a) *Restrictions on certain uses of chromium and chromium-nickel iron and steel alloys for heat resistant purposes.* Except pursuant to specific authorization or direction of the War Production Board, from and after July 2, 1942:

(1) No person shall melt, process, fabricate or deliver any heat resistant chromium or chromium-nickel alloy iron or alloy steel for the uses set forth in Schedule A with a higher chromium and/or nickel content than specifically authorized in Schedule A;

(2) No person, in placing an order for heat resistant chromium or chromium-nickel alloy iron or alloy steel for the uses set forth in Schedule A, shall specify temperature requirements beyond those necessary to maintain operations then engaged in; and

(3) No person, in redesigning or rebuilding any equipment, or parts therefor, for the uses set forth in Schedule A, shall increase the weight of the heat resistant chromium or chromium-nickel alloy iron or alloy steel in any unit to an amount greater than 10% of the weight of such iron or steel contained in the original design of such unit.

(b) *Exception for Army, Navy, and Maritime Commission orders.* The restrictions imposed by paragraph (a) shall not apply in the case of materials or equipment to be purchased by or for the account of the Army or Navy of the United States, or the United States Maritime Commission, or to be physically incorporated into materials or equipment to be so purchased, to the extent that the use of heat resistant chromium or chromium-nickel alloy iron or alloy steel is required by the specifications (including performance specifications) of the Army or Navy of the United States, or the United States Maritime Commission applicable to the contract, subcontract, or purchase order.

(c) *Other exceptions.* The restrictions imposed by paragraph (a) shall not apply to:

(1) Materials fully fabricated on July 2, 1942:

(2) Materials to be melted, processed, fabricated or delivered pursuant to a contract made prior to July 2, 1942 where it would not be practicable to change

specifications to conform to the provisions of this order: *Provided*, That delivery of such materials under such contract shall be completed on or before August 31, 1942; and

(3) Any industrial instrument, instrument connection, instrument end, control valve, safety valve, or regulator, as defined by Conservation Order L-134, as amended from time to time, to the extent that the use of heat resistant chromium or chromium-nickel alloy iron or alloy steel is permitted by such order.

(d) *General restrictions.* (1) No person shall melt, process, fabricate or deliver any heat resistant chromium or chromium-nickel alloy iron or alloy steel to or for the account of any person for the uses set forth in Schedule A if he knows or has reason to believe that such material will be sold or used in violation of the terms of this order or any other or further order or direction of the War Production Board.

(2) A person melting, processing, fabricating or delivering any heat resistant chromium or chromium-nickel alloy iron or alloy steel for the uses set forth in Schedule A, may rely on the statement of his customer that such material will not be sold or used except in compliance with this order and any other or further order or direction, which statement shall be endorsed in the following form, signed by an official duly authorized for such purpose, on every purchase order for such material:

The undersigned certifies to the seller and to the War Production Board that the material ordered herein will not be sold or used in violation of the terms of Supplementary Order M-21-g or any other or further order or direction of the War Production Board.

Such statement shall be a representation to the War Production Board and shall be preserved by the seller for a period of at least two years.

(e) *Applicability of other orders.* Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided, the use of any material, the limitations of such other order shall be observed.

(f) *Appeal.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may apply to the War Production Board, Steel Division, Washington 25, D. C., Ref.: M-21-g, setting forth the pertinent facts, and the reasons he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 27th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A. *Restrictions on certain uses of chromium and chromium-nickel iron and steel alloys for heat resistant purposes*

PART I—PARTS FOR, OR EQUIPMENT USED IN, INDUSTRIAL, HEAT TREATING OR OTHER METALLURGICAL FURNACES

NOTE:—Part I amended July 27, 1943.

Analysis	Max. Cr. %	Max. Ni. %	Max. Ni. Plus Cr. %	Uses
A	None	None	None	1. For all uses where temperatures are below 900° F. 2. For non-integral furnace parts and accessories, operating at temperatures between 900° F. and 1,200° F. 3. For pots for molten baths, such as lead or salts, operating at temperatures below 1,400° F.
B	6	0	6	1. For integral furnace parts and those mechanical parts subject to substantially uniform heating and mechanical loading, operating at temperatures between 900° F. and 1,200° F. 2. For non-integral furnace parts and accessories not subject to thermal shock or abnormal load and operating at temperatures between 1,200° F. and 1,400° F.
C	18	8	26	1. For integral furnace parts and those mechanical parts subject to substantially uniform heating and mechanical loading, not subject to thermal shock or abnormal load and operating at temperatures between 1,200° F. and 1,400° F. 2. For operating parts which allow substantial latitude in design, such as walking beam rails, roller rails, rotating shafts and slide rails, operating at temperatures between 900° F. and 1,200° F.
E	25	12	37	1. For both integral and non-integral furnace parts and accessories not subject to thermal shock or abnormal load, operating at temperatures between 1,400° F. and 1,900° F. 2. For fuel fired radiant tube heating elements. 3. For operating parts which allow substantial latitude in design, such as walking beam rails, roller rails, rotating shafts and slide rails, operating at temperatures above 1,200° F. 4. Retorts for magnesium.
G	15	35	50	1. For parts which must of necessity endure highy concentrated stress because of the nature of the mechanism, such as link conveyors, mesh belts, chain conveyors, shaker hearths, hot bearings and fan wheels, operating at temperatures above 900° F.
Or the following alternate Analysis G may be used:				
G	27	4	31	2. For parts subject to thermal shock or abnormal load, operating at temperatures above 1,200° F. 3. For parts subject to chemical attack or electrolytic action, such as carburizing and "dry cyaniding." 4. For parts, such as quenching fixtures and hearth plates, where it can be shown that scaling can not be avoided which would result in serious difficulties. 5. For pots for molten baths, such as lead or salts, operating at temperature above 1,400° F. 6. For furnace parts and accessories, operating at temperatures above 1,900° F.
H	15	65	80	1. For electrical heating elements where the operating temperatures of the element is below 1,200° F.

PART II—PARTS FOR, OR EQUIPMENT USED IN, OIL REFINERIES, SYNTHETIC RUBBER PLANTS, AND CEMENT MILL FURNACES

Analysis	Max. Cr. %	Max. Ni. %	Max. Ni. Plus Cr. %	Uses
A	None	None	None	1. For all uses, operating at temperatures below 900° F.
B	6	0	6	1. For all uses, operating at temperatures between 900° F. and 1,400° F.
C	18	8	26	1. For all uses, operating at temperatures between 1,400° F. and 1,600° F.
E	25	12	37	1. For all uses, operating at temperatures above 1,600° F.

PART III—PARTS FOR POWER PLANT EQUIPMENT

Analysis	Max. Cr. %	Max. Ni. %	Max. Ni. Plus Cr. %	Uses
A	None	None	None	1. For economizer supports and sleeves. 2. For boiler dampers. 3. For all stoker parts. 4. For soot blowers, operating at temperatures below 1600° F. 5. For seal plates, wall castings and door liners. 6. Tubing for feed water heaters.
C	18	8	26	1. For that part of chemical feed pipe connections inside the boiler drum.
D	27	9	36	1. For soot blowers, operating at temperatures above 1600° F.
E	25	12	37	1. For super-heater supports, clamps and baffles, operating at temperatures between 1300° F. and 1600° F. 2. For boiler non-pressure parts exposed to direct furnace temperatures of over 1600° F.
F	25	20	45	1. For super-heater supports, clamps and baffles, operating at temperatures above 1600° F. 2. For fuel burners—oil, gas and coal where parts are directly exposed to furnace temperatures.
H	15	65	80	1. For fuel burner impeller plates ⅛" in thickness.

NOTE: With the exception of Analysis A, an addition of 2% in content of Chromium and 2% in content of nickel in the analyses designated in this Schedule A is permissible to allow for the use of scrap and for variations in melting and laboratory procedures. For example: In the case of Analysis C (18% Cr.—8% Ni.) up to 20% chromium and 10% nickel is permissible.

[F. R. Doc. 43-12109; Filed, July 27, 1943; 11:16 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-373]

BENJAMIN J. LANDIS

Benjamin J. Landis, Philadelphia, Pennsylvania, is engaged in the sale of plumbing and heating supplies.

Subsequent to May 20, 1942, the respondent sold and delivered approximately 95,000 feet of copper tubing on orders which did not bear a preference rating of A-1-k or higher. The respondent admitted delivering 6,000 feet of copper tubing on orders bearing no preference ratings whatever. These deliveries constituted a violation of paragraph (d) of General Preference Order M-9-a, as amended May 7, 1942. Subsequent to April 1, 1942, he fabricated copper and copper base alloy products into hot water heaters, pipe tube, tubing and fittings therefor. This constituted a violation of General Limitation Order L-42, Schedule 7, as amended May 6, 1942.

As a result of having been engaged in the plumbing and heating supply business for over twenty-five years, and of the wide publicity regarding the scarcity of copper and the restrictions placed on its sale and manufacture, Benjamin J. Landis must be considered as having known of the restrictions affecting his business. His actions have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.373 *Suspension Order No. S-373.* (a) Deliveries of material to Benjamin J. Landis, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Benjamin J. Landis, his successors or assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Benjamin J. Landis, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 27, 1943 and expire on September 27, 1943, after which latter date it shall have no further force or effect.

Issued this 20th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-12110; Filed, July 27, 1943; 11:15 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-376]

T. G. M'KIMMIE

T. G. McKimmie, of Ben Avon, Pennsylvania, is engaged in business as a building contractor. On or about July 7, 1942, he began construction, as defined in Conservation Order L-41, on a residence located at 705 Evergreen Road, Millvale, Pennsylvania, at an estimated cost in excess of $500, in violation of said order. On or about October 10, 1942, the said McKimmie began construction on a dwelling located at 123 Grant Avenue, Millvale, Pennsylvania, at an estimated cost in excess of $200, in violation of Conservation Order L-41, as amended September 2, 1942. At the times aforesaid T. G. McKimmie was, or should have been, familiar with the provisions of Conservation Order L-41, and its amendment, and these violations were wilful.

These violations of Conservation Order L-41 have hampered and impeded the war effort of the United States by diverting scarce materials to uses prohibited by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.376 *Suspension Order No. S-376.* (a) Deliveries of material or equipment to T. G. McKimmie, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such delivery by any preference rating certificate, preference rating order, general preference order, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to T. G. McKimmie, his successors or assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve T. G. McKimmie, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 27, 1943, and shall expire on September 27, 1943.

Issued this 20th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-12111; Filed, July 27, 1943; 11:15 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-381]

THE PHOTO PROCESS ENGRAVING CO.

The Photo Process Engraving Company is a Georgia corporation, engaged in the engraving of copper and zinc plates at 119½ Luckie Street NW., Atlanta, Georgia. Plates made by the respondent are used for the reproduction of news, periodicals and school annuals. During the first quarter of 1942, respondent consumed 6,261 pounds of copper in excess of its quota, and in the last quarter of 1942, 538 pounds of copper in excess of its quota, in violation of Conservation Order M-9-c. Respondent, prior to the above violations, had in its possession a copy of Conservation Order M-9-c, an order of the War Production Board curtailing the use of copper on certain items and thereby was put on notice that the use of copper was subject to the orders of the War Production Board. Hence, respondent's actions must be deemed to constitute wilful violations of Conservation Order M-9-c. These wilful violations of Conservation Order M-9-c have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.381 *Suspension Order No. S-381.* (a) Respondent's quota of copper for each of the calendar quarters beginning July 1, 1943, shall be reduced by 3,399 pounds, which amount represents one-half of its total over-consumption of copper during the first and fourth quarters of 1942, unless respondent is hereafter specifically authorized in writing by the War Production Board to consume additional copper.

(b) Nothing contained in this order shall be deemed to relieve Photo Process Engraving Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on issuance, and shall expire December 31, 1943.

Issued this 27th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-12112; Filed, July 27, 1943; 11:15 a. m.]

PART 1038—GRAPHITE

[Supplementary Order M-61-a]

GRAPHITE CRUCIBLE SIMPLIFICATION

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of graphite for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1038.2 *Supplementary Order M-61-a*—(a) *Purpose of order.* This order prohibits the manufacture of certain sizes of standard crucibles and prohibits the manufacture of all other crucibles of size and shape other than those now being made.

(b) *Definition.* For the purposes of this order, a "standard graphite crucible" means any crucible made from any type or grade of graphite, and which is known in the trade as being of standard shape and of standard size. All other graphite crucibles are referred to as special crucibles.

(c) *Limitation on manufacture.* (1) No person shall mold or shape any standard graphite crucibles of the sizes listed in Schedule A annexed hereto. Nothing contained in this order, however, shall prevent a person from delivering, or accepting delivery of, any graphite crucibles which had been molded or shaped prior to the 27th day of July, 1943.

(2) No person shall mold or shape any special crucibles of size or shape other than those which had been molded or shaped by such person prior to the 27th day of July, 1943.

(d) *Appeals.* Appeals from provisions of this order shall be made by filing a letter in triplicate stating fully the grounds for the appeal.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any Department or Agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Mica-Graphite Division, Washington 25, D. C., Ref.: M-61-a.

Issued this 27th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A: *Prohibited sizes of standard crucibles*

0	5
00	7
000	9
¼	12
½	14
¾	18
1¼	25
1½	35
1¾	45
3	

[F. R. Doc. 43-12113; Filed, July 27, 1943; 11:16 a. m.]

PART 1044—CADMIUM

[Conservation Order M-65-a as Amended July 27, 1943]

Whereas, national defense requirements have created a shortage of cadmium for the combined needs of defense, private account, and export; and the supply now is and will be insufficient for defense and essential civilian requirements unless its use in the manufacture of many products where such use is not absolutely necessary for the defense or essential civilian requirements is curtailed or prohibited as hereinafter provided: *Now, therefore, it is hereby ordered,* That:

§ 1044.2 *Conservation Order M-65-a*—(a) *Prohibition on use of cadmium in articles appearing on List A.* No person shall use any cadmium in the production of any item on List A.

(b) *Limits on all other uses of cadmium.* No person shall use any cadmium in the production of any articles not covered by paragraph (c) of this order.

(c) *General exception.* Where and to the extent the use of any less scarce material is impracticable, the prohibitions, limitations and restrictions contained in paragraphs (a) and (b) shall not apply to the use of cadmium in the manufacture of any item, or for any of the uses, set forth on List B attached, or which is being produced:

(1) For delivery under a specific contract or subcontract for the Army or Navy of the United States, the United States Maritime Commission, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development or for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," (Lend-Lease Act) if in any such case the use of cadmium to the extent employed is required by the specifications of the prime contract, or

(2) To comply with underwriters regulations or safety regulations issued under Governmental authority, provided the pertinent provisions of such regulations were, in either case, in effect both on December 1, 1941, and on the date of such use, and specifically and exclusively require the use of cadmium to the extent employed; or

(3) [Revoked July 27, 1943.]

(d) *Prohibitions against sales or deliveries.* No person shall hereafter sell or deliver cadmium to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(e) *Limitation of inventories.* No manufacturer shall receive delivery of cadmium (including scrap) or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies, nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of cadmium products by this order.

(f) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, (Part 944) as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cadmium conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense work to defense work, may appeal to the War Production Board, Washington, D. C., setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(3) *Addressing of communications.* All applications, statements, or other communications filed pursuant to this order or concerning the subject matter hereof should be addressed to the War Production Board, Ref.: M-65-a, Washington 25, D. C.

(4) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all articles hereafter manufactured irrespective of whether such articles are manufactured pursuant to a contract made prior or subsequent to January 17, 1942, or pursuant to a contract supported by a preference rating. Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided, the use of cadmium in the production of any article, the limitations of such other order shall be observed.

(5) *Violations or false statements.* Any person who violates this order, or who wilfully falsifies any records which he is required to keep by the terms of this order, or by the War Production Board, or who otherwise wilfully furnishes false information to the War Production Board may be deprived of priorities assistance or may be prohibited by the War Production Board from obtaining any further deliveries of materials subject to allocation. The War Production Board may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. 80).

(6) *Definitions.* For the purposes of this order:

(i) "Cadmium" means the following in any forms suitable for industrial use:

(*a*) Metallic cadmium in such forms as anodes, balls, cakes, discs, foil, ingots, moss, pencils, pigs, plates, powder, rods, sheets, shot, slabs, sticks, strips, wire or other refined shapes; or

(*b*) Any cadmium-containing chemical compound, salt or mixture, including cadmium-bearing materials such as oxides or other forms available for electro-plating purposes; or

(*c*) Any scrap, residues, dross, alloys, or other materials containing commercially recognized amounts of cadmium, or metal or compounds produced therefrom.

(ii) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(iii) "Manufacture" means to fabricate, assemble, mix or process in any other way, but does not include installation of a finished product for the ultimate consumer.

(iv) "Item" means any article or any component part thereof.

(v) "Use" means both (1) the act of putting cadmium into process in the manufacture of any item and (2) the act of completing the manufacture of any such item.

(vi) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(7) *Effective date.* This order shall take effect January 17, 1942, and shall continue in effect until revoked by the War Production Board.

Issued this 27th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: "Pigments * * *" added July 27, 1943.

The use of cadmium in the items listed below and in all component parts thereof is prohibited except to the extent permitted by the foregoing conservation order.

Automotive, trailer, and tractor equipment:
- Bearings.
- Fasteners.
- Fittings and trim.
- Hardware.
- Lamps, all kinds.
- Hub and gas-tank caps.
- Mouldings.
- Plating for decorative uses.

Building supplies and hardware:
- Air conditioning equipment (except where cadmium plating is essential to the proper functioning of the parts).
- Builders' finish hardware.
- Conduits.
- Hardware.
- Lighting fixtures.
- Ornamental metal work.
- Plating for decorative purposes.
- Screens and screening.
- Springs.
- Staples and fasteners.
- Window fixtures.

Home furnishings and equipment:
- Decorative hardware.
- Furniture, all kinds.
- Furniture hardware or plating.
- Hardware.
- Plating for decorative purposes.
- Portable heaters.
- Stoves and ranges (except valves and controls).
- Tableware.
- Upholsterers' supplies, including nails and tacks.
- Utensils, all kinds.
- Washing tubs and machines.

Textile equipment:
- Bobbin rings.
- Truck fittings, all kinds.
- Plating non-essential to fabrication of fabrics.

Pigments, except for use in the following:
- Luminescent paints for military use.
- Luminescent printing inks for military use.
- Luminescent paper for military use.
- Luminescent plastics for military use.
- Artists' colors.
- Signal and illuminating glassware for safety, religious, and industrial use only.
- Thermometer tubing.
- Thermosetting plastic buttons for military use.
- Dental rubber.
- Rubber sea buoys.

Miscellaneous:
- All plating primarily for decorative purposes.
- Beauty parlor equipment and barber shop supplies.
- Beverage dispensing units and parts thereof.
- Bicycles, motorcycles, and similar vehicles.
- Casket handles and trim.
- Electrical fittings (except where cadmium plating is essential because of corrosive action or to the proper functioning of the parts).
- Fire fighting apparatus (except where cadmium plating is essential to the proper functioning of the parts).
- Hardware.
- Harness fittings.
- Ladders and fittings.
- Livestock and poultry equipment.
- Luggage fittings.
- Metal containers.
- Name, identification, and medal plates.
- Pole-line hardware.
- Radios, commercial sets.
- Reflectors.
- Shoe nails.
- Slot, game, and vending machines.
- Stationery supplies, desk accessories, and office supplies.
- Saddlery hardware.

LIST B

NOTE: "Chemicals * * *" amended July 27, 1943.

The uses, and the items listed below, and parts thereof, are excepted from the prohibitions and restrictions contained in paragraphs (a) and (c) of the foregoing conservation order, but only to the extent indicated below and only to the extent that the use of any less scarce material is impractical.

Chemicals, except for use as pigments prohibited by List A.

Electrical fittings and contacts to the extent that corrosive action or the proper functioning of the parts makes the use of any other material impractical.

Electroplating of heddles and pin boards used in textile plants to the extent that corrosive action makes the use of any other material impractical.

Fusible alloys used in fire protection systems and electrical fuses, to the extent that any other material is impractical.

Measuring, recording and control instruments, systems or equipment for use in industrial processes, such as pyrometers, thermometers, flow meters, pressure gauges, gas analyzers and their associated control valves.

Solders to the extent that they cannot be replaced by other solders not containing cadmium.

[F. R. Doc. 43-12114; Filed, July 27, 1943; 11:16 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, as Amended July 27, 1943]

§ 1075.1 *Conservation Order L-41*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Construction" means the erection, construction, reconstruction, restoration, or remodeling of any structure or project, or additions thereto or extensions or alterations thereof, but not including:

(i) "Maintenance and repair" as defined in paragraph (a) (12);

(ii) The excavation or other movement of earth where no material except earth or other unprocessed material is to be incorporated.

(3) "Residental construction" means any construction where the principal designed function of the structure or project is or will be to provide living space or accommodations.

(4) "Multiple residential construction" means any residential construction where the principal designed function of the structure or project is or will be to provide living space or accommodations for six or more families, or which is divided or to be divided into six or more suites.

(5) "Agricultural construction" means any construction, (other than residential construction), where the principal designed function of the structure or project is or will be the production of agricultural products including, but not limited to, those produced by farmers, planters, ranchmen, dairymen, poultrymen, or nut or fruit growers.

(6) "Industrial construction" means any construction where the principal designed function of the structure or project is or will be the manufacture, processing or assembling of goods or materials.

(7) "Other restricted construction" means any construction, other than residential, multiple residential, agricultural, or industrial construction, including, but not limited to, commercial, highway, roadway, sub-surface, railroad, and utilities construction, whether publicly or privately financed.

(8) "Project" means all separate structures or units of construction situated in close proximity to each other and integrated to serve a single general use; it does not mean a particular construction operation or job. In no case shall a single structure or unit of construction be subdivided into more than one project for the purpose of this order.

(9) "Begin construction" means to initiate construction, or to resume construction which has not been carried on as one continuous construction job, by physically incorporating or installing into a structure or project on the site, material which is to be an integral part of the structure or project.

(10) "Cost" shall be the sum of the total cost or value, whichever is higher,

of the following (except as qualified in (a) (11) below):

(i) Material which is to be an integral part of the structure or project, including articles, chattels, or fixtures which are to be physically incorporated in and used as a part of the structure or project, or are to be so substantially affixed thereto that they cannot be detached without materially injuring them or the structure or project;

(ii) Labor engaged in the construction;

(iii) Architects', engineers' and contractors' services.

(11) "Cost" does not include the following:

(i) The value of used material, articles, chattels or fixtures which have been severed from the same or another structure or project and are to be used without change in ownership, nor the cost or value of labor engaged in incorporating the same;

(ii) The cost or value of production machinery or equipment to be used directly in the manufacturing, processing or assembling of goods or materials;

(iii) The value of labor, not entailing financial outlay, of an owner or tenant and members of the owner's or tenant's immediate family residing with him, on a structure or project owned or leased by him.

(12) "Maintenance and repair" means such work as is necessary to keep a structure or project in sound working condition, or to rehabilitate a structure or project or any portion thereof when the same has been rendered unsafe or unfit for service by wear and tear or other similar causes. The term does not include any building operation or job where a structural alteration or change in design is to be made. However, different materials may be used and different types of articles, chattels or fixtures (but of the same general nature) may be incorporated, provided that there are no such structural alterations or changes in design. No building operation or job may be part construction and part maintenance and repair, as the terms are used herein, but if any construction is to be done, the entire building operation or job is construction. Maintenance and repair does not include the reconstruction or restoration of a structure or project or portion thereof destroyed by fire, flood, tornado, earthquake, act of God or the public enemy.

(b) *Prohibited construction.* (1) No person shall begin construction, carry on any construction begun in violation of any order in the L-41 series, cause such construction to be begun or carried on or participate in such construction, or order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material for such purposes.

(2) The terms and restrictions of (b) (1) shall not apply where the construction is of:

(i) A structure or project to be the property of the Army or Navy of the United States, the United States Maritime Commission, Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, or the Office of Scientific Research and Development;

(ii) A structure or project which is to be used directly in the discovery, development or depletion of mineral deposits;

(iii) A type subject to the provisions of any order in the M-68 series (Part 1047) relating to the production and distribution of petroleum, or is of a type subject to the provisions of any Petroleum Administrative Order (Chapter XIII), and such construction is permitted only to the extent authorized by the applicable order in the M-68 series or by the applicable Petroleum Administrative Order;

(iv) Telephone and telegraph facilities or equipment, other than buildings, and is authorized or permitted under the terms of Order U-2 (§ 4501.1) or Order U-6 (§ 4501.21);

(v) Railroad tracks, together with necessary operating facilities, but not including buildings, tunnels, overpasses, underpasses, or bridges;

(vi) Facilities other than buildings to be owned by a producer, as defined in Order U-1 (§ 4501.1), pertaining to utilities, or in Order P-141 (§ 3209.1), pertaining to public sanitary sewage facilities, which are to be used directly in providing one or more of the services set forth in paragraph (a) (1) of said Order U-1, or in paragraph (a) (1) of said Order P-141;

(vii) Irrigation pipe lines or drainage tile drains, classified as agricultural construction under this order, in which no materials except earth or other unprocessed material or clay or non-reinforced concrete tile not more than 12 inches in internal diameter are incorporated.

(viii) Agricultural construction necessary to the installation of material or equipment, the distribution of which is controlled by Order L-170 (§ 1029.10) or orders in the M-21 series (Part 962), and which are listed in Schedule 1 of Food Production Order 3 of the United States Department of Agriculture.

(ix) A structure or project for which no material will be used to provide electric, gas, water, or steam services for the incorporation of which specific authorization is required under orders in the U series (unless such authorization has been received before construction was begun), provided it is

(*a*) Residential construction and not multiple residential construction, or is specifically listed on Schedule B attached hereto, and the estimated cost of construction is less than $200; or

(*b*) Multiple residential, agricultural or other restricted construction, is not specifically listed on Schedule B, and the estimated cost of construction is less than $1,000; or

(*c*) Industrial construction, is not specifically listed on Schedule B, and the estimated cost of construction is less than $5,000; or

(*d*) The minimum construction necessary to make safe and to protect any structure or project (or the contents thereof) damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy; or

(*e*) Agricultural construction, and the immediate construction thereof is determined by the United States Department of Agriculture in accordance with such administrative procedures as may be from time to time prescribed to be necessary to avert threatened loss of farm products: *Provided,* That within two weeks of such determination Form PD-200 is filed in accordance with the provisions of paragraph (f) of this section.

(3) The terms and restrictions of (b) (1) shall not apply where the construction is to reconstruct or restore:

(i) Residential or multiple residential construction damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy, or to build in its place and stead new residential or multiple residential construction: *Provided, however,* That the estimated cost of such reconstruction, restoration, or new construction shall be less than $5,000, and that within two weeks of such damage or destruction Form PD-105 (for residential) or Form PD-200 (for multiple residential) is filed in accordance with the provisions of paragraph (f) of this section;

(ii) Agricultural construction damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy where the immediate reconstruction thereof is determined by the United States Department of Agriculture, in accordance with such administrative procedures as may be from time to time prescribed, to be essential to the agricultural program: *Provided,* That within two weeks of such damage or destruction Form PD-200 is filed in accordance with the provisions of paragraph (f) of this section;

(iii) Industrial or other restricted construction, not specifically listed on Schedule B, damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy, where the immediate reconstruction thereof is necessary for the prosecution of the war or the protection of public health or safety: *Provided,* That within five days of the damage or destruction notice thereof is given by telegraph to the War Production Board setting forth (*a*) the cause of the damage or destruction, (*b*) the function of the structure or project which has been damaged or destroyed, (*c*) the type of construction, (*d*) why immediate reconstruction or restoration is necessary, and (*e*) the estimated cost of reconstruction: *And provided further,* That within two weeks of the giving of such telegraphic notice, Form PD-200 is filed in accordance with the provisions of paragraph (f) of this section.

Nothing contained in this subparagraph (3) shall be interpreted as a commitment that priorities assistance will be accorded to any particular construction authorized by the provisions of this subparagraph and the War Production Board may at any time either order said construction to cease or require any

modification thereof that seems to it to be proper.

(4) The terms and restrictions of (b) (1) shall not apply where the construction has been or is hereafter authorized by the Director of Priorities of the Office of Production Management or by the War Production Board by the issuance of:

(i) One of the preference rating orders or certificates listed on Schedule A attached hereto, as that schedule may be amended from time to time, according priorities assistance to the construction; or

(ii) An order specifically authorizing the construction.

(5) The exceptions set forth in paragraphs (b) (2) (ix) (*a*), (b) (2) (ix) (*b*), and (b) (2) (ix) (*c*) shall not be construed to authorize separate or successive construction operations commencing after September 6, 1942, the aggregate cost of which over any continuous twelve-month period exceeds the amount specified in the applicable paragraph for the particular structure or project; not including in said aggregate cost the cost of any construction thereon during said period authorized under the provisions of paragraph (b) (2) (ix) (*d*), (b) (2) (ix) (*e*), (b) (3) and (b) (4).

(c) *Prohibited deliveries.* No person shall accept an order for, sell, deliver, or cause to be delivered material which he knows, or has reason to believe, will be used in violation of the terms of this order.

(d) *Further construction limitations.* Nothing in this order shall be construed to authorize the use or delivery of any material, or the application or extension of any preference rating, in violation of the provisions of any conservation, limitation or other order or regulation heretofore or hereafter issued by the Director of Priorities, Office of Production Management, or by the War Production Board.

(e) *Orders or certificates not constituting authorization.* The assignment of a preference rating by a PD-1, PD-1A, or other certificate, or by any order, other than those listed on Schedule A, shall not constitute authorization to begin construction.

(f) *Application for authority to begin construction.* (1) The application forms prescribed by paragraphs (f) (2) and (f) (3) hereof shall be executed by the person who is or is to be the owner of the structure or project for which authorization is required by the terms of this order, or his duly authorized agent.

(2) If the applicant requires priorities assistance for the proposed construction, an application shall be made for the appropriate preference rating order or certificate listed on Schedule A on the form referred to therein.

(3) Where the applicant does not require priorities assistance, application for specific authorization to begin construction referred to in paragraph (b) (4) (ii) hereof may be made by filing Form PD-200, or such other forms as may hereafter be prescribed. Such forms are to be filed in the manner prescribed on Schedule A for the filing of applications for Preference Rating Order P-19-h.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications.* Applications, communications and reports under this order shall, unless otherwise directed in Schedule A or by specific instructions be addressed to: War Production Board, Washington, 25, D. C., Ref.: L-41.

Those relating to residential construction shall in addition be conspicuously marked "Res.", those relating to multiple residential construction "M. R.", those relating to agricultural construction "Agr.", those relating to industrial construction "Ind.", and those relating to other restricted construction "O. R."

This order, as hereby amended the 26th day of April 1943 shall supersede all orders, amendments and interpretations in the L-41 series heretofore issued, except the following: L-41-a, L-41-b and its interpretation issued November 6, 1942, L-41-c, L-41-d and Interpretation 1 to L-41 issued February 19, 1943. (NOTE: Paragraph (e) of said Interpretation 1 is revoked by L-41-d).

Issued this 27th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Entire schedule amended July 27, 1943.

The following preference rating orders and certificates are listed pursuant to paragraph (b) (4) (i) of the above order. A general description of the type of construction covered by each, the appropriate application form and where such form should be filed, are given solely for purposes of identification.

Preference rating order or certificate	Type of construction	Application form	Where filed
P-14-a P-14-b	Shipyards and shipways	No further applications accepted.	
P-19 P-19-a	Structures or projects important to the war effort and essential civilian needs, other than housing.	No further applications accepted under P-19 and P-19-a. Apply for P-19-h.	
P-19-d P-19-g	Publicly financed war housing	No further applications accepted; See P-19-h.	
P-19-e CMPL-127 CMPL-224	Public roads	PR. 1 P-A	State Highway Department having jurisdiction.
P-19-h P-19-i CMPL-127 CMPL-224	Structures and projects important to the War effort and essential civilian needs, including war housing owned by FPHA, farm dwellings and multiple residential except war housing.	Form WPB 617 (formerly Form PD-200) or WPB Form 2570 (formerly PD-200C).	At the following places or such other places as may be prescribed: Agricultural and farm dwellings with Department of Agriculture County War Board having jurisdiction over location of the site; Certain types of construction with District Office of War Production Board having jurisdiction over the location of the site; All other types of construction with the War Production Board, Washington, D. C.
P-41	Construction of air transport facilities.	No further applications accepted.	
P-55 P-55 Amended P-55-b	Housing other than owned by FPHA. Included is all privately owned residential construction except farm dwellings; also privately owned multiple residential war housing but not other types of multiple residential construction.	Form PD-105 and Form PD-105-A.	With FHA field office having jurisdiction over location of the site.
P-89 Amended	Construction of certain types for production of chemicals.	Form PD-315	With War Production Board, Washington, D. C., Ref: P-89.
P-98-b	Construction related to petroleum enterprises as defined and limited therein.	See orders in M-68 series and Petroleum administrative orders.	
P-110	Remodeling of housing programmed for critical areas by the National Housing Agency.	No further applications accepted.	
WPB-2774	Utility facilities	WPB-2774	War Production Board, Washington, D. C.
PD-3 PD-3A	Command construction of the Army and Navy.	PD-3A	With the contracting or procurement official having jurisdiction of the contract.

SCHEDULE B

The following structures or projects are listed pursuant to paragraphs (b) (2) (ix) and (b) (3) (iii) of the above order:

(a) A structure or project which has as its principal designed function:

(1) Public or private amusement, entertainment or recreation, with the exception of playgrounds for children;

(2) Occupancy by not more than five establishments selling or dispensing goods, merchandise, food or drink, or providing services;

(3) Use as a club, lodge, fraternity or sorority house, association, auditorium or assembly hall;

(4) Manufacture, processing or assembling of any one or more of the following:

(i) Athletic supplies, sporting goods, or toys or games as defined in Order L-81.

(ii) Beverages, except milk,

(iii) Books, magazines, newspapers, greeting cards, or other printed or engraved matter,

(iv) Candy or chewing gum,

(v) Cigars, cigarettes, smoking or chewing tobacco or snuff,

(vi) Jewelry, watches, traveling bags, brushes, razors, pipes and like articles for personal use or adornment,

(vii) Furniture, silverware, china, household electrical appliances, draperies, and all other similar articles,

(viii) Musical instruments,

(ix) Stationery or office supplies,

(x) Toiletries or cosmetic products as defined in Order L-171,

(xi) Wearing apparel of every sort, nature or description, except for the Army or Navy;

(b) Industrial construction with a productive floor area of less than 10,000 square feet.

INTERPRETATION 1

(a) Paragraph (a) of Conservation Order No. L-41, as amended, places in different classes the construction of various structures or projects, and paragraph (b) (2) (ix) provides the limits within which the several classes of construction may be begun without authorization. Any structure shall be classified in accordance with such provisions unless it constitutes a part of a "project" as defined in paragraph (a) (8), in which event the classification of the project shall control.

(b) In connection with paragraphs (a) (3), (a) (4), (a) (5) (a) (6), and (a) (7), where part of a structure or project falls within one class under said order and other parts within another or other classes, the predominant designed use shall determine the classification of the whole structure or project.

(c) In connection with paragraphs (a) (5) and (a) (7), a structure to be used primarily for the storage of farm products which are produced by a person other than the proprietor of such structure shall be interpreted to be "other restricted construction."

(d) "Construction" as defined in paragraph (a) (2) includes the laying of asphalt tile, linotile, cork tile, rubber tile, and linoleum, if the same is cemented to or in any way is affixed to the construction.

(e) [Revoked by L-41-d, April 16, 1943.] (Issued February 19, 1943)

[F. R. Doc. 43-12115; Filed, July 27, 1943; 11:15 a. m.]

PART 1151—TUBES

[Limitation Order L-76 as Amended July 27, 1943 [1]]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron or steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1151.1 *General Limitation Order L-76*—(a) *Definitions.* For the purposes of this order:

(1) "Tube" means any device consisting of an evacuated enclosure containing a number of electrodes between two or more of which conduction of electricity through the vacuum or contained gas may take place.

(2) "Manufacture" means the sealing in and the exhausting of the mount tube assemblies.

(3) "Producer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, engaged in the production of tubes.

(4) "Tube type number" means either those designations given in the commercial and technical literature of producers of tubes, or those designations given by the Tube Division of the Radio Manufacturers Association of America, for each specific type of tube.

(5) "Preferred order" means any specific order, contract or subcontract for the manufacture of tubes for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, any foreign country pursuant to the Act of March 11 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or any order bearing a preference rating of AA-1.

(b) *General restrictions.* (1) From April 24, 1942, no producer shall manufacture any tubes of the type listed in List A as amended from time to time.

(2) The restrictions contained in subparagraph (1) of this paragraph shall not apply to preferred orders.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(g) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington 25, D. C. Ref.: L-76.

(h) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

Issued this 27th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: Type 5Y3G Tube revoked from List A July 27, 1943.

Pursuant to the restrictions contained in paragraph (b) (1) of Limitation Order L-76, no producer shall manufacture any tubes of the type listed below:

00A	2	6D6G
0Z3	2A3H	6D7
01A	2A7S	6D8
01AA	2B6	6E4GT
1A1	2B7	6E6
1A1/5E1	2B7S	6E7
1A5G	2E5	6E8G
1A7G	2G5	6F5MG
1B1	2S/4S	6F7S
1B4	2W3	6G5
1B4P	2W3GT	6G7
1B4P/951	2X3G	6G7S
1B7G	2Y2	6H4G
1B8GT	2Y3	6H5
1C1	2Y4	6H6G
1C4	2Z2	6H6MG
1C5G	2Z2/G84	6H7S
1D1	3	6H8G
1D2	3B8GT	6J5G
1D4	3C5GT	6J5GX
1D7G	3LE4	6J6GT
1E1	3Q5G	6J7MG
1E2	3S5	6K6G
1E4G	4	6K6MG
1E5G	4A1	6K7MG
1E5GP	4A6G	6L6GT
1E5GT	5	6L6GX
1E7G	5T4	6M6G
1F1	5V3G	6M7G
1F7GH	5W4	6M8GT
1F7GV	5W4G	6N5
1G1	5X3	6N5G
1G4G	5Z4G	6N6
1G5GT/G	5Z4MG	6N6GT
1G6G	6	6N6MG
1G6GT	6A4	6N7G
1G7GT/G	6A4/LA	6N7GT
1H5G	6A5G	6P5G
1J1	6A6X	———
1J5G	6A7S	6P6
1K1	6A8MG	6P7G
1K4	6AB5	6P8G
1K5G	6AB6G	6Q6
1K6	6AC5G	6Q6G
1K7G	6AC6G	6Q7MG
1L1	6AC6GT	6R6G
1L5G	6AD5G	6S5
1L5GT	6AD5GT	6S6GT
1LB6	6AD6G	6SE7GT
1LC5	6AE5G	6T5
1M5G	6AE5GT	6T6
1N1	6AE6G	6T7G/6Q6G
1N5G	6AE7GT	6U5
1N6G	6AF5G	6V4G
1N6GT	6AF6GT	6V5G
1P1	6AF7G	6V6G
1P5G	6AG5GT	6V6GX
1Q1	6AG6G	6V7G
1Q5G	6AH5G	6W5G
1R1G	6AL6G	6W6GT
1R4	6B6	———
1S1G	6B7S	6X5
1T1G	6B8GT	6X5G
1T4GT	6C5G	6X6G
1T5G	6C5MG	6Y3G
1U1	6C7	6Y5
1W1	6C8GT	6Y5G
1Y1	6D5G	6Y5GT
1Z1	6D5MG	6Y5S

[1] The purpose of this amended order is to delete Type 5Y3G from List A.

6Y5V	14C5	46A1
6Y6	14E6	46B1
6Y6GT	14E7	48
6Y7G	14F7	49
6Z3	14N7	50C6G
6Z4	14Y4	50L6G
6Z5	15	———
6Z5/12Z5	17	50Y6G
6Z6MG	18	———
6Z7G	20	50Z6G
7	22	50Z6GT
7A7LM	24	50Z7G
7B5LT	24S	51
7B6LM	25A6	52
7B8LM	25A6G	55
7C5LT	———	55S
7D7	25A7G	56AS
7G7	———	56S
7N5	25AC5G	57AS
7R7	———	57S
8	25B5	58AS
9	25B6G	58S
WD11	25B8GT	64
WD12	25D8GT	65
WX12	25L6	68
12A	25L6G	69
12A5	———	70
———	25N6G	70A7GT
12A8G	25RE	70L6GT
12B6	25S	75S
12B7	25X6GT	79
12C8GT	25Y4GT	82V
12E5GT	25Y5	85AS
12J5G	25Z3	87S
12J7G	25Z4	88S
12K7G	25Z4GT	89
12K8GT	25Z5MG	95
12Q7G	25Z6G	V99
12S7GT	———	X99
12SA7G	27S	117E4GT
———	29	117L7GT
12SC7GT	31	117M7GT
———	35A5LT	117Z6G
———	35L6G	117Z6GC
12SK7G	———	182B/482B
———	35RE	183/483
———	35S/51S	401
12Z5	35Z3LT	485
14	35Z5G	950
14A4	———	1232
14A7	35Z6GT	1852
14B6	40	1853
14B8	45A	

[F. R. Doc. 43-12116; Filed July 27, 1943; 11:15 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT [1]

[General Limitation Order L-298 as Amended July 27, 1943]

RESISTANCE WELDING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials and facilities used in the manufacture of resistance welding equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.107 [1] *General Limitation Order L-298*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Resistance welding" means that process for the localized consolidation or joining of metals under pressure and heat, wherein the heat is generated within the metallic parts to be consolidated or joined by the resistance of those parts to the passage of an electric current.

(3) "Resistance welding equipment" means equipment manufactured for use in the operation of joining metals by the resistance welding process and includes resistance welding machines, resistance welding controls, and resistance welding electrodes.

(4) "Manufacturer" means any person engaged in the business of producing, fabricating or assembling resistance welding equipment, and shall include sales and distribution outlets owned by any such person.

(5) "Dealer" means any person engaged in the business of purchasing resistance welding equipment for resale.

(6) "Order" means any commitment or other arrangement for the delivery of resistance welding equipment whether by purchase, lease, rental or otherwise.

(7) "Army, Navy, Maritime Commission or War Shipping Administration" does not include any privately operated plant or shipyard financed by, or controlled by, any of those agencies or operated on a cost-plus-fixed-fee basis.

(8) "Used resistance welding equipment" means resistance welding equipment that has been delivered to an ultimate consumer.

(b) *Operations reports.* Each manufacturer shall, on or before the 15th day of each month, commencing with the month of August, 1943, file with the War Production Board an operations report on Form WPB-2830, showing orders for new and rebuilt resistance welding equipment and repair parts unfilled, received, shipped and cancelled during the preceding month, in accordance with instructions accompanying the form: *Provided,* That this paragraph (b) shall not apply to orders for electrical circuit breakers or indicating or recording apparatus used with resistance welding equipment, or repair parts for such circuit breakers or indicating or recording apparatus.

(c) *Authorization of purchase orders required.* (1) On and after July 27, 1943, no manufacturer or dealer shall accept an order for, or deliver any new resistance welding equipment unless the order or delivery is specifically authorized by the War Production Board on Form WPB-2752. Application for an authorization, and for a preference rating if none has been previously assigned, is to be made by the purchaser by filing Form WPB-2752, in duplicate, with the War Production Board as explained in the instructions which accompany the form. The delivery restrictions of this paragraph (c) (1) do not apply to orders received prior to July 27, 1943.

(2) The provisions of paragraph (c) (1) shall not apply to (i) any order of $200 or less for resistance welding equipment; (ii) any order for resistance welding electrodes; (iii) any order for resistance welding equipment for direct use by the Army, Navy, Maritime Commission or War Shipping Administration or for incorporation in or attachment to any resistance welding equipment to be used directly by such agencies; (iv) any order bearing a preference rating assigned under Preference Rating Order P-19-h; *Provided* That, notwithstanding paragraph (g) (4) of Priorities Regulation 3, the certificate applying or extending such rating shall state the source of the rating; or (v) any order placed by a manufacturer of, or dealer in, resistance welding equipment.

(d) *Registration of idle equipment.* (1) Whenever any used resistance welding equipment (other than portable gun welders and resistance welding electrodes) has been idle for a period of ninety (90) consecutive days ending on or after July 12, 1943, without having had its ownership changed, the owner of the equipment shall register it, within thirty (30) days after the ninety (90) day period, by filing Form WPB-2732 with the War Production Board. For the purpose of this subparagraph (d) (1) used resistance welding equipment shall be deemed to be idle for a period of ninety (90) consecutive days unless, during any such period, it has been employed for welding operations for more than one hundred twenty (120) hours in the aggregate.

(2) Within five (5) days after any used resistance welding equipment registered under paragraph (d) (1) has been sold, the seller shall register such change of status by filing with the War Production Board Form WPB-2732 as explained in the instructions which accompany the form.

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as otherwise expressly provided herein.

(2) *Reporting provisions.* The reporting requirements of paragraphs (b) and (d) and the form of application prescribed in paragraph (c) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeals from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(5) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed

[1] Formerly Part 3261, § 3261.1.

to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref.: L-298.

Issued this 27th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-12117; Filed, July 27, 1943; 11:16 a. m.]

PART 3253—LUGGAGE

[General Limitation Order L-284 as Amended July 27, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials for making luggage for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3253.1 *General Limitation Order L-284*—(a) *Definitions.* For the purpose of this order:

(1) "Luggage" means a container of the type used for the transportation of personal effects on a journey, and includes (without limitation of the foregoing) the following: animal carriers, army lockers, bellows and extension cases, Boston bags, bottle cases, carryalls, cosmetic cases, duffel, sport and furlough bags, fitted cases, gladstone cases, hat boxes, hat and shoe boxes, jackknife cases, kit bags, over-night or week-end cases, physician's bags, picnic cases, pullman cases, pullman tray cases, salesmen's sample cases, secretary cases, shoe cases, suit cases, travelling bags, vanity cases, victoria cases, women's and men's wardrobe cases, trunks of all types, and all other products that are sold and known as luggage in the trade.

(2) "Base period" means the twelve months ended December 31, 1941.

(3) "Cattle hide leather" means leather or rawhide produced from the hides or skins of bulls, steers, cows and buffaloes, whether native or branded, foreign or domestic, including calf and kipskins.

(4) "Military order" means an order for luggage to be delivered to the Army or Navy of the United States (excluding post exchanges and ship's service stores), United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics and the Office of Scientific Research and Development.

(5) "Post exchanges" means United States Army post exchanges and United States Marine Corps post exchanges.

(6) "Ship's service stores" means the stores maintained by the United States Navy Ship Service Department.

(7) "Factory sales" means the net dollar volume of factory sales, excluding taxes, of luggage, as above defined, including sales (whether or not on rated orders) to post exchanges and ship's service stores but excluding sales under military orders as above defined.

(8) "Design and construction" of luggage means the make-up of the luggage in every detail, so that any two pieces of luggage of the same design and construction are necessarily identical, except in quality and color of material utilized.

(b) *Restrictions on manufacturing*—(1) *Limitations on construction.* (i) After June 30, 1943, no person shall produce any luggage except in conformity with the restrictions contained in Schedule I, annexed; and

(ii) After April 30, 1943, no person shall cut or otherwise put into process any material for the manufacture of any animal carriers, bellows and extension cases, bottle cases, cosmetic cases, fitted cases, gladstone cases, hat boxes, hat and shoe boxes, jackknife cases, kit bags, picnic cases, secretary cases, shoe cases, vanity cases, victoria cases, women's wardrobe cases or wardrobe trunks of any type: *Provided, however,* That no person shall be deemed to be in violation of this paragraph (b) (1) (ii) in cutting material in his inventory on April 30, 1943, if used only in connection with fabricated or semi-fabricated parts in his inventory on said date and if the luggage into which such material is incorporated is completed prior to July 1, 1943.

(2) *Limitation on quantity produced.* No manufacturer shall produce or sell during any calendar semi-annual period, beginning July 1, 1943, a greater net dollar volume of luggage (including luggage sold by him for less than $1.50) than that shown for his class on the following list:

Class factory sales during the base period	Factory sales permitted during any calendar semi-annual period	Rate of production on annual basis
		Percent
$750,000 or more	25% of base period volume	50
Between $250,000 and $750,000	30% of base period volume	60
Between $25,000 and $250,000	35% of base period volume	70
Less than $25,000	43% of base period volume	86

Provided, however, That nothing in this paragraph (b) (2) shall prevent any manufacturer from making factory sales up to $1,000 per month or from producing luggage within such dollar volume.

And provided further, That the quota of each manufacturer shall be increased by an amount equal to 40% of the net dollar volume of any luggage delivered by him to post exchanges or ship's service stores. Such increase shall be effective during the calendar quarter following the quarter in which delivery was made.

(3) *Application to military and post exchange orders.* The restrictions in this paragraph (b) shall apply to all luggage (including that produced for post exchanges or ship's service stores, whether or not on rated orders) except luggage produced under specific military orders, as above defined.

(c) *Restrictions on sales, deliveries and inventories*—(1) No manufacturer or dealer shall sell or deliver any luggage which he knows or has reason to believe was manufactured in violation of this order.

(2) No manufacturer shall accept delivery of any item of material to be incorporated into luggage if by reason of such delivery such manufacturer's inventories of such item will be in excess of his minimum practicable working requirements, or in any event in excess of his requirements for the next 120 days.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all regulations of the War Production Board, as amended from time to time, except paragraph (d) of Priorities Regulation 17, which shall be inapplicable to luggage.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(f) *Communications to the War Production Board.* All reports, applications, forms, or communications required under or referred to in this order, and all communications concerning this order, shall unless otherwise directed be addressed to the War Production Board, Textile, Clothing & Leather Division, Washington 25, D. C., Ref.: L-284.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 27th day of July, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

(a) *Limitation of types and styles.* (1) Subject to paragraph (a) (3) below, all items shall be of the following types and within the following maximum outside length:

Type	*Maximum outside length (Inches)*
Furlough bag	20
Over-night case	21
Pullman case (empty)	26
Tray pullman case	29
Men's wardrobe	24
Men's week-end	21
Foot locker	31
Physician's bag	18
Sample cases and sample trunks	Unlimited

(2) Except with respect to sample cases and sample trunks, no manufacturer shall in any calendar year produce within each type mentioned above more than two price lines, i. e., either one style in two price lines or two styles in one price line each. For this purpose "style" shall refer to the design and construction of the luggage, including its size, but not to the quality or color of the material utilized.

(3) The restrictions in this paragraph (a) regarding dimensions and number of styles and price lines shall not apply to items of luggage sold by a manufacturer for less than $1.50 or to items produced by manufacturers whose factory sales have not in any prior calendar month (subsequent to May, 1943) exceeded $1,000.

(b) *Limitation on use of materials.* (1) None of the following materials shall be used in making luggage:

(i) Parts containing iron or steel, other than locks, bolts, dowels, handle dee rings, handle posts, valances, valance clamps, binding corner clips, men's wardrobe hanger brackets, foot locker corners, foot locker bindings, snap fasteners, buckles, hinges, rivets, screws, nails, tacks, washers, burrs, or other small hardware for essential joinings. No stainless steel may, however, be used in any of these parts.

(ii) Any slide fasteners.

(iii) Parts containing copper, zinc, aluminum, or copper, zinc or aluminum alloys.

(iv) Leather, except:

(*a*) Sheepskin, pigskin, sealskin, walrus, sharkskin or alligator leather.

(*b*) Vegetable tanned cattle hide leather under 3½ ounces in weight.

(*c*) Scrap cattle hide leather, or

(*d*) Vegetable tanned bag, case and strap cattle hide leather bellies under 7 ounces in weight.

Any of the foregoing may be used for handles, attaching handle pieces, welts, bindings, corners, closures but for no other purpose.

(2) In no event shall more iron, steel, or leather be used than is essential to perform a functional purpose. The functional uses for handle loops, leather straps, leather corners and leather bindings shall be limited as follows:

(i) Leather handle loops shall consist of necessary attaching pieces only and shall not include extended strips for design or decorative purposes.

(ii) Leather straps shall be used for essential closure means only and shall not include extended or long straps.

(iii) Leather corners shall be used for essential reinforcements for the top or bottom, or both, of a case or bag only and shall not include wing-tip corners or over-sized corners for design or decorative purposes.

(iv) Leather bindings shall be used for essential reinforcements and shall not exceed 1¾" width before attachment.

[F. R. Doc. 43-12106; Filed, July 27, 1943; 11:15 a. m.]

PART 3269—OILS FOR PROTECTIVE COATINGS

[Conservation Order M-332 as Amended July 27, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of oils for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3269.1 *Conservation Order M-332*—(a) *Definitions.* (1) "Oils" means all the raw, crude, refined, and pressed oils, whether vegetable, animal, fish, or other marine animal, excepting mineral oil and tall oil.

(2) "Linseed oil" means the oil, crushed, pressed or otherwise extracted from flaxseed, whether raw, bodied or otherwise processed. The term includes linseed oil blended with other oils, whatever the proportion of linseed oil used.

(3) "Fish oil" means the oil produced by the reduction of the whole or any part, including the offal of the sardine, pilchard, and menhaden, whether raw, bodied or otherwise processed. The term includes fish oil blended with other oils, whatever the proportion of fish oil used.

(4) "Manufacturer" means a person who uses oils in the manufacture of any other product, but does not include a painter, householder or other person who uses oils as a reducer for paint or varnish.

(5) "Processor" means any person who blends, bodies or otherwise processes linseed oil or fish oil.

(6) "Crusher" means any person who presses, expels or extracts linseed oil from flaxseed or who presses, expels or extracts fish oil from the sardine, pilchard or menhaden.

(7) "Wholesaler" means a person who buys linseed or fish oil from a crusher or processor and without further processing resells such oils to manufacturers or retailers.

(8) "Retailer" is any person who sells linseed oil or fish oil to the ultimate consumer.

(b) *Restrictions on use.* (1) On and after July 1, 1943, no manufacturer shall use in the production of any of the following products more pounds of oils per gallon of such product than the following:

	Pound
Class #1—Flats including interior emulsion paints	1.2
Class #2—Gloss and semi-gloss paints and interior trim enamels	1.75
Class #3—Interior floor enamels and combination interior-exterior floor enamels, interior household enamel and combination interior-exterior enamels, machinery enamels	2.3
Class #4—Wall primers and undercoats	2.00
Class # 5—Interior varnishes and combination interior-exterior varnishes	2.3
Class # 6—Exterior paints	3.75
Class # 7—Structural steel finishes, interior-exterior	3.75
Class # 8—Exterior enamels and exterior varnishes (sold exclusively for exterior work)	3.25
Class # 9—Emulsion paints for exterior purposes	1.5
Class # 10—Mill whites for industrial maintenance	2.5

For the purposes of this paragraph (b) (1), all oils shall be considered interchangeable.

(2) The provisions of paragraph (b) (1) are not applicable to the use of oils in the manufacture of paints, varnishes and lacquers delivered or to be delivered to, or used on or incorporated in material and equipment delivered or to be delivered to, the Army, Navy, Marine Corps, or Coast Guard of the United States, the United States Maritime Commission or the War Shipping Administration, or delivered pursuant to the Act of March 11, 1941 (Lend-Lease Act), or for the military, naval or maritime requirements of the United Nations where the manufacturer claiming exemption receives from the Director of Food Distribution, War Food Administration, specific exemption pursuant to paragraph (b) (5) (iii) of Food Distribution Order No. 42 with respect to such use.

(c) *Restrictions on deliveries.* (1) On and after July 1, 1943, no crusher, processor, manufacturer or wholesaler, shall deliver to any other person linseed oil or fish oil having a non-volatile content of more than seventy per cent (70%), by weight.

(2) The restrictions of paragraph (c) (1) shall not apply to:

(i) Deliveries to another crusher, processor, manufacturer or wholesaler.

(ii) Deliveries for medicinal or pharmaceutical purposes or for human or animal consumption.

(iii) Deliveries of linseed oil or fish oil packaged in containers of one pint or less.

(iv) Deliveries by any person of linseed oil or fish oil which on July 1, 1943, and at the time of the delivery was packaged in unopened five-gallon cans or smaller containers and was on both of these dates owned by the person making delivery.

(v) Deliveries by any person of boiled linseed oil which on July 1, 1943, and at the time of delivery was packaged in 55-gallon drums or smaller containers and was on both such dates owned by him.

(vi) Deliveries by any wholesaler of raw linseed oil (in no case in a quantity exceeding 1375 gallons) which on July 1, 1943, was packaged in unopened drums or containers having a capacity of more than 8 gallons but not more than 55 gallons and was on both such dates either owned by him or in his possession on consignment from a crusher or processor.

(vii) Deliveries to the Army, Navy, Marine Corps or Coast Guard of the United States, the United States Maritime Commission, the War Shipping Administration, or pursuant to the Act of March 11, 1941 (Lend-Lease Act), or deliveries of such linseed oil or fish oil to be used on or incorporated in material and equipment delivered or to be delivered to the services or agencies mentioned in this subdivision (vii) or pursuant to the Act of March 11, 1941 (Lend-Lease Act).

(3) No person shall deliver or sell any material represented to be "linseed replacement oil" unless such material meets the requirements of Federal Specification TT-O-371.

(d) *Other orders.* The restrictions herein set forth are in addition to those imposed by Food Distribution Order No. 42 and such other orders as have been or may be issued by the War Food Administration with respect to oils.

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref.: M-332.

Issued this 27th day of July 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-12107; Filed, July 27, 1943; 11:16 a. m.]

Chapter XI—Office of Price Administration

PART 1361—FARM EQUIPMENT

[MPR 133,[1] Amdt. 5]

RETAIL PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 133 is amended in the following respects:

1. Section 1361.3 (a) (2) is amended to read as follows:

(2) Actual transportation costs paid by the dealer for shipment of the item of farm equipment from the factory to the dealer, less any allowances or rebates on transportation costs received by the dealer.

2. Section 1361.3 (b) is amended to read as follows:

(b) *New parts with suggested retail prices.* The maximum price applicable to the sale by any retail dealer of any new farm equipment part for which the manufacturer has issued a suggested retail price shall be the suggested retail price plus actual transportation costs paid by the dealer for shipment of the part from the factory to the dealer, less any allowances or rebates on transportation costs received by the dealer, plus the manufacturer's or wholesale distributor's handling charge paid by the dealer if not included in the manufacturer's or wholesale distributor's charge for transportation, plus any extra expense in connection with the sale, such as long distance telephone calls, incurred at the request of the purchaser.

This amendment shall become effective July 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12080; Filed, July 26, 1943; 2:51 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3185, 6936, 7599, 8948; 8 F.R. 134, 2286.

PART 1389—APPAREL

[MPR 438]

MANUFACTURERS' PRICES FOR CERTAIN FALL AND WINTER OUTERWEAR

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 438 has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

§ 1389.603 *Manufacturers' prices for certain fall and winter outerwear.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and No. 9328, Maximum Price Regulation No. 438 (Manufacturers' Prices for Certain Fall and Winter Outerwear) which is annexed hereto, is hereby issued.

AUTHORITY: § 1389.603 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 438—MANUFACTURERS' PRICES FOR CERTAIN FALL AND WINTER OUTERWEAR

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4. How to find and to use class division factors.
5. How a seller calculates the direct costs of the garment being priced.
6. Limit on maximum prices.
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Appendix B—Suggested cost forms.

SECTION 1. *Scope of this regulation*—(a) *Kinds of garments covered.* This regulation applies to the fall and winter outerwear listed in Appendix A. These garments are broken down into groups and each group is given a "group number."

The garments covered by this regulation will be referred to hereafter as "winter garments."

(b) *Kinds of sales covered.* This regulation applies only to manufacturers' sales. A manufacturer's sale is a sale of a garment by a person: (1) who fabricated the garment; (2) who sold or consigned any of the principal materials from which the garment was fabricated; or (3) whose business is under the same ownership and control as the person who fabricated the garment. However, the regulation does not cover sales by a department which sells principally to individual consumers. "Department" means a division, selling establishment or affiliate which employs separate facilities and has customarily kept accounts separate from other parts of the business.

Example 1. S Company, a fabricator of winter garments, owns a retail outlet which keeps its accounts separate from those of the factory.

Sales by the retail outlet are not "manufacturers' sales," and thus are not covered by this regulation.

Example 2. Y, a chain store organization which sells at retail, owns a winter garment factory. Accounts for the stores are kept separately from those for the factory.

Retail sales by Y's stores are not "manufacturers' sales," and thus are not covered by this regulation.

Example 3. Z, a mail order house which sells at retail, consigned to P, an independent contractor, materials from which certain winter garments were fabricated by P and sold back to Z. Z's accounts are kept separate from those of P.

Retail sales by Z's stores of the finished garment are not "manufacturers' sales," and thus are not covered by this regulation.

(c) *Kinds of sales not covered.* This regulation excludes sales which are not manufacturers' sales as explained above. In other words, it does not cover sales of the following kinds: (1) sales made by a retailer or wholesaler who is not the manufacturer of the goods sold; (2) sales by a manufacturer, if made through a department which sells principally to individual consumers.

SEC. 2. *How a seller calculates his maximum prices under this regulation.* (a) You are a seller under this regulation if you are a manufacturer of winter garments. In order to find your maximum prices, you must find your general division factor for 1943 (see section 3). If you sold to more than one class of trade in 1942, you must adjust this factor to obtain class division factors (see section 4). Once you have found your division

factors, you will not be required to figure them again, for the same factors are used in calculating the maximum prices for all winter garments.

If during 1942 you manufactured winter garments in one or more departments, which used separate manufacturing facilities and customarily kept sales and cost records separate from other parts of the business, each of these departments is considered a separate seller, and you must find a general division factor for each department.

(b) You find the maximum price for each winter garment (per unit or per dozen) by dividing the direct cost of the garment, calculated according to section 5, by the division factor you are required to use. If you sold to only one class of trade in 1942, you must use your general division factor; if you sold to different classes of trade in 1942, you must use your class division factors.

(c) If the price found by making the calculations in (b) is higher than the limit on maximum prices described in section 6, then your maximum price must not exceed this limit.

(d) If you do not have records for the entire 1942 fiscal year, or are otherwise unable to figure your maximum price under this regulation, you should disregard paragraphs (a), (b) and (c) above, and figure your prices under section 7.

SEC. 3. *How a seller finds his general division factor.* The "general division factor" is a figure which indicates what part of a garment's selling price is represented by direct cost. If you know, for example, that the general division factor for a garment is .80 and you also know that the garment's direct costs are $40.00 it is not difficult to find the selling price. By merely dividing .80 into $40.00, you get your selling price, $50.00. (Notice that your mark-up over selling price in this case is .20. The mark-up over selling price is always the difference between the division factor and 1.00. Consequently, the bigger the division factor, the smaller the mark-up, and vice-versa.)

The form below (Form A) and the instructions give you specific directions how to calculate a general division factor, based upon your own past experience, for all the garments you are pricing. From your 1942 profit and loss statement, you can find your 1942 division factor (and mark-up) for your business as a whole. The division factor for 1943 (and therefore the 1943 mark-up) is the same as the 1942 division factor, except that the 1942 division factor is increased (and thus the 1942 mark-up is reduced) by the amount that the 1942 profit margin exceeds a normal profit margin. The normal profit margin is a percentage on sales which gives you an opportunity to equal your 1941 dollar net profit. However, a "floor" of .025 is put on this percentage so as to protect those whose earnings in 1941 were particularly low, and a "ceiling" of .05 is also put on the percentage to prevent the prices of those with exceptionally high 1941 earnings from piercing the general price level of March 1942. The figures for the floor and ceiling were reached after a careful study of the 1941 earnings of representative firms in the industry, and of March 1942 price levels.

Two copies of Form A should be filed with your district or state office of the Office of Price Administration on or before August 11, 1943. You must keep an additional copy as a record. On and after August 26, 1943, you must not sell or deliver any garments covered by this regulation at prices which exceed 110% of the direct cost of the garment until you file this form with the district or state office and receive acknowledgment of its filing ("direct cost" is explained in section 5).

If you have filed Form A and then find that it was incorrect, you may file two signed copies of an amended form setting forth the inaccuracies in the original form and the reasons therefor. Until you have received an acknowledgment from the Office of Price Administration of the receipt of this amended form, however, you must use as your division factor either the factor authorized by section 3, properly applied, or that listed in the original form, whichever affords the lower mark-up.

FORM TO BE USED IN OBTAINING THE GENERAL DIVISION FACTOR (FORM A)

Copies of this Form will not be furnished by the Office of Price Administration. Please make your own copies.

(Whenever an item is marked with an asterisk [*] read the instruction which goes with it before filling in the item. Instructions will be found at the end of the form.)

Line No.		
*1. Enter 1942 total net sales.	$------	
*2. Enter 1942 total direct cost.	$------	
3. Divide entry in line 2 by entry in line 1, and enter result. (This is the proportion of costs in your 1942 sales.)		------
*4. Enter 1942 net profit.	$------	
5. Divide entry in line 4 by entry in line 1. (This is the proportion of net profit in your 1942 sales.)		------
*6. Enter 1941 dollar net profit.	$------	
7. Divide entry in line 6 by entry in line 1. (This is the proportion 1941 dollar profit is of 1942 sales.)		------
8. Use *one* of the following: (a) If entry in line 7 is not under .025 and not over .05, repeat the entry in line 7. (b) If entry in line 7 is under .025 enter .025. (c) If entry in line 7 is over .05, enter .05. (This is the allowance for net profit in your 1943 ceiling price.)		------
9. Subtract entry in line 8 from item in line 5. (This is the difference between your 1942 profit and the profit allowance in your 1943 prices.)		------
10. Add entry in line 9 to entry in line 3. (This is your *general division factor* for 1943.)		------

Instructions for Form A

(Each instruction goes with the item in the form which has the same number as the instruction.)

Instruction Number

1. From the profit and loss statement for the fiscal year 1942 and such other records as may be required, find your total dollar net sales (gross sales minus returns, allowances, discounts). 1942 fiscal year means the period which you used for Federal income tax purposes in 1942.

   If, in addition to your manufacturing establishment, you had a separate department which sold principally to individual consumers, the sales figure for garments transferred to this unit is the value at which they were transferred rather than the amount for which they were resold.
2. From the profit and loss statement used for instruction (1) and such other records as may be required, find the total direct cost incurred in manufacturing during the period covered by the profit and loss statement. "Direct cost" means the cost of materials, trimmings and direct labor. Direct labor includes only those operations described in section 5 (a).
4. From the profit and loss statement used for Federal income tax purposes in 1942, find the dollar net profit before Federal income taxes on total sales.
6. From the profit and loss statement used for Federal income tax purposes in 1941, find the dollar net profit before Federal income taxes on total sales. If you were not in business during an entire 1941 fiscal year, skip directly to item 8 and enter .025.

SEC. 4. *How to find and to use class division factors*—(a) *How to adjust the general division factor to obtain class division factors.* If you sold winter garments at different prices to different classes of trade in 1942, the general division factor which you calculated under section 3 must be adjusted to obtain "class division factors" ("class of trade" is defined in Instructions 2–3 which supplement the form below). If this adjustment were not made and the general division factor were used for all sales, you would have the same maximum price to all your customers. In order to have price differentials between buyers, as you have had in the past, you must use different division factors.

The form below (Form B) and the instructions give you specific directions for calculating class division factors. These division factors, when applied to the direct costs for each garment, will assure you maximum prices for that garment which differ by approximately the same percent as did your prices to different classes of buyers in 1942. Moreover, by using each class division

factor for the same proportion of your 1943 sales as you did in 1942, you will realize the same mark-up over direct cost on your business as a whole as if you had used only the general division factor.

The method by which the general division factor is adjusted to obtain class division factors was carefully designed to give great weight to the experience of each individual firm on the basis of its available records. After grouping your customers into two classes, you find, from your 1942 sales records, the percent of sales made to each class. Then you take those garments which were sold to both classes in 1942 and find the percent by which the 1942 price of these numbers to Class II purchasers exceeded the 1942 price to Class I purchasers. If those numbers were only part of your entire 1942 volume, you will take 10% as the differential on the rest of your sales, and find a general average. The final step in figuring class division factors merely involves using this general average, the sales percentage figures, and the general division factor in the calculations indicated by lines 21 to 24 of Form B.

Two copies of Form B should be filed with your district or state office of the Office of Price Administration on or before August 11, 1943. Keep an additional copy for your own use. On and after August 26, 1943, until you file this form with the district or state office and receive acknowledgment of its filing, you must not sell or deliver any garments covered by this regulation at prices which exceed 110% of the direct cost of the garment ("direct cost" is explained in Sec. 5).

If you have filed Form B and then find that it was incorrect, you may file two signed copies of an amended form setting forth the inaccuracies in the original form and the reasons therefor. Until you have received an acknowledgment from the Office of Price Administration of the receipt of this amended form, however, you must use as your class division factor either those authorized by section 4, properly applied, or those listed in the original form, whichever would result in the lower prices.

FORM TO BE USED IN OBTAINING CLASS DIVISION FACTORS (FORM B)

Copies of this Form will not be furnished by the Office of Price Administration. Please make your own copies.

(Whenever an item is marked with an asterisk [*] read the instruction which goes with it before filling in the item. Instructions will be found at the end of the form.)

Line No.

*1. Enter 1942 total dollar net sales of winter garments _____

*2. Enter 1942 net dollar sales of winter garments to Class I purchasers _____

*3. Enter 1942 net dollar sales of winter garments to Class II purchasers _____

4. Divide entry in line 2 by entry in line 1, and enter result (This is the 1942 percent of sales of winter garments to Class I purchasers) _____

5. Divide entry in line 3 by entry in line 1, and enter result (This is the 1942 percent of sales of winter garments to Class II purchasers) _____

NOTE: If, though sales were made to both classes in 1942, no garment number was sold to both Class I and Class II purchasers, skip directly to line (20) and enter 1.10 in that line.

In lines 6 to 15 enter in each column the information requested.

	Column and Instruction Letter					
	(a)	* (b)	* (c)	(d)	* (e)	(f)
	Garment numbers sold in 1942 to both class I and class II purchasers					
	Style No.	Price to class II purchasers	Price to class I purchasers	Column (b) divided by (c)	1942 net dollar sales of this garment	Column (d) times (e)
*6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16	Total column (e) and enter result				$	
17	Subtract entry in line 16 from entry in line 1, and enter result (This is the balance of your 1942 dollar net sales of winter garments)				$	
18	Multiply entry in line 17 by 1.10, and enter result					$
19	Total column (f) and enter result					$

20. Divide entry in line 19 by entry in line 1 and enter the result. (This is the percentage ratio of your class II price to your class I price) _____
21. Divide entry in line 5 by entry in line 20, and enter result _____
22. Add entry in line 21 to entry in line 4, and enter result _____
23. Divide general division factor (found in Section 3) by entry in line 22, and enter result (This is your class I division factor) _____
24. Divide entry in line 23 by entry in line 20, and enter result (This is your class II division factor) _____

Instructions for Form B

(Each instruction goes with the item in the form which has the same number or letter as the instruction.)

Instruction Number

1. 1942 refers to the same period as used in section 3. But notice that here you use only your sales of winter garments, not your total sales.

2–3. You must group your 1942 customers into two classes. Those who customarily bought at or below the price to wholesalers will be called Class I purchasers, and all other customers will be called Class II purchasers. A wholesaler is one who buys a commodity and resells it, without substantially changing its form, to any person other than an ultimate consumer. Each class constitutes a class of trade.

6–15. List the ten best selling garments which were sold to both classes in 1942. You may list more than ten if you desire, in which case you may list more than one number on a line. If ten numbers were not sold to both classes in 1942, list all of the numbers which were so sold.

b–c The prices to Class II and Class I purchasers to be listed are the maximum prices established under section 3.5 of Revised Supplementary Regulation No. 14 (formerly § 1499.73 (a) (37) under Amendment 49 to Supplementary Regulation No. 14 to the General Maximum Price Regulation) less all discounts available to the purchaser.

e. 1942 refers to the same period as used in line 1. The sales figures to be listed are the total net sales of the number to both classes.

(b) *Restriction on use of the class division factors.* The maximum price for each garment found by using the Class I division factor is called the Class I ceiling, and any sale made at or below this price is considered a sale at a Class I price. Similarly, the maximum price for each garment found by using the Class II division factor is called the Class II ceiling, and any sale made at or below this price (but higher than the Class I ceiling) is considered a sale at a Class II price.

Any buyer may be sold at either Class I or Class II prices. But the proportion of garments delivered at Class II prices after the effective date of this regulation must not exceed the percent of sales made to Class II purchasers in 1942. If, at the end of year 1943 fiscal year, the proportion of garments delivered after the effective date of the regulation at Class II prices is greater than this figure, you have sold goods at higher than your ceiling price to the extent of the excess, and will be liable to civil and criminal penalties accordingly.

The foregoing provision permits you to make the same proportion of sales to large volume buyers and to small volume buyers in 1943 as you did in 1942, at approximately the same differential in price as prevailed between these buyers in 1942. However, your 1943 proportion of sales to each type of buyer is not frozen at the 1942 proportion. You may make a greater proportion of sales to large volume buyers in 1943 than you did in 1942, and vice versa. But any excess

sales to small volume buyers who normally would be charged more than large volume buyers must be made at Class I rather than at Class II prices.

For convenience in complying with this requirement, it is suggested that you keep a current record of deliveries at Class I and Class II prices made after the effective date of the regulation, in this form:

Date	Dollar volume of deliveries at class II prices	Dollar volume of deliveries at class I prices	All deliveries

At the end of each month, you should total deliveries at Class II prices, and all deliveries. You should then divide the former total by the latter. If the proportion of deliveries at Class II prices exceeds the proportion of 1942 sales to Class II purchasers, your Class I ceilings should become your ceilings for all deliveries until the 1943 proportion of deliveries at Class II prices equals the 1942 per cent of sales to Class II purchasers. At the end of the next month the same rule should apply, and so on, until the end of the fiscal year. The 1942 percent of sales to Class II purchasers has already been found in Section 4 (a), line 5.

SEC. 5. *How a seller calculates the direct costs of the garment being priced*—(a) *What "direct cost" includes.* The direct cost of each winter garment shall be the total of material, trimming and direct labor costs. Costs incurred in producing features which are prohibited by the War Production Board or any other agency of the United States government at the time the garment is fabricated must not be included in calculating its direct cost.

"Direct labor" means all labor operations performed in processing or assembling the garment or the materials which become parts of it. Examples of such operations are: "cutting", including piling, marking, and separating, but not pattern making or pattern grading; "sewing" and other operations performing the same purpose, such as stapling and riveting; "pressing"; "factory examining of garments"; and "put up", including folding and packaging for storage, but not crating or wrapping for shipment.

The following are not direct labor: make-up and overtime; indirect labor, such as foremen, floormen, supervisory examination of garments, repairing and maintenance personnel, designers, sample room employees, porters, watchmen, piece goods clerks, buyers, receiving room employees, clerical employees, shipping room employees; overhead cost, such as unemployment insurance, social security, pension contribution, contributions to welfare funds, health or accident insurance, workmen's compensation, and any present or future tax upon or measured by wages; and overhead and profit allowance of contractors, if used. A seller who uses a contractor must request the contractor to furnish all data he needs to figure the actual direct labor cost of the garment, and the contractor must furnish the data so requested.

(b) *Estimated direct costs.* For taking future orders at fixed prices before garments are completed, you may figure your maximum prices on the basis of estimated direct cost. You must keep a record of the estimated direct cost of each garment and enter in it the calculations used in making the estimate. The suggested cost record forms in Appendix B may be used to record this estimate. Before a garment is delivered under any order, you must determine its actual direct cost, and if this cost is below the estimated direct cost, as entered on your cost record, by more than 3%, the maximum price must be re-figured on the basis of the actual direct cost.

If orders are taken at prices which may be adjusted upward on the basis of actual costs, the maximum price must be figured on the basis of actual direct costs, without the 3% tolerance.

The paragraphs below contain instructions for calculating the actual direct costs of a garment.

(c) *How to find actual material costs.* You must calculate the actual material cost of a garment in the following manner:

Step 1. Find the number of feet or yards of material used in the cutting which produced the garment being priced. Consider as a cutting a group of garments of the same style that are put into production as one lot. Garments may be in the same cutting even though the size of the lot requires the fabric to be physically cut in two or more lays.

Step 2. From invoices, find the actual cost of the material used in the cutting.

(1) Actual cost is the amount paid for material. In calculating this amount you must use the same accounting methods as you used in calculating your 1942 direct costs for line 2 of Form A (in Section 3). For example, if in calculating this percent you figured materials cost on a gross basis, you must continue to do so in calculating current material cost; but if you deducted discounts before, you must deduct discounts now. If, however, you figure your cost on a gross basis and the amount of your discount has been increased, you must adjust your gross invoice price to bring your current discount into line with your past discounts. Similarly, incoming transportation may be added to material cost if it was considered part of material cost in making your calculations for line 2 of Form A.

(2) If the actual price paid for material is higher than the price which the regulations of the Office of Price Administration permit your source of supply to charge, at the time of cutting, you use the legal maximum price rather than the actual cost.

(3) Any amount charged or expense established by means of or resulting from a fictitious sale, fictitious billing or fictitious valuation of materials shall not be included in the cost.

Step 3. Find the actual material cost of a garment by dividing the total cost of the materials used in the cutting (found in Step 2) by the number of garments cut in that cutting.

(d) *How to find actual trimming cost.* The instructions for calculating actual material costs shall apply also to the calculation of trimming costs. No trimming that does not become a component part of the garment shall be included as part of trimming cost.

NOTE: At the end of each cutting a record, similar to Form D in Appendix B, must be made of the material and trimming costs of the garment cut.

(e) *How to find actual direct labor cost*—(1) *Piece-work operations.* For operations compensated on a piece-work basis, cost must be figured on the basis of piece-work rates in effect on September 15, 1942.

(2) *Time operations.* For operations on a time basis, costs are figured in the manner indicated below. Whenever wage rates used in the calculation have been increased over those in effect on September 15, 1942, downward adjustments must be made so that cost figures reflect wage rates in effect on that date.

You will note that the instructions below require a comparison between your pay roll for each time operation during a specified period and the number of garments on which that operation was completed during that period. If your records require you may group all your garments together. If possible, however, you must segregate your garments by "group", by style, or otherwise.

For example, if your records show how much of your cutters' pay roll goes into mackinaws, you can segregate mackinaws from your other garments. If your records show how much of your cutters' pay roll goes into mackinaws in the $20–$30 range, you can segregate them from your other mackinaws. If your records show how much of your cutters' pay roll goes into plaids, you can segregate plaids from solids.

(i) *Existing models.* For garments which were completed before July 1, 1943, or which are identical with garments completed before July 1, 1943, you find the cost of each time operation by dividing your pay roll for the operation during the period from January 1 to July 1, 1943, by the number of garments on which that operation was completed during that period.

(ii) *New models.* For all other garments you have a choice of two rules. Select the one which will work better for your business and then use it for all garments.

Rule 1: Use as the cost of each time operation the cost of that time operation found under subdivision (i), above. If you segregated your subdivision (i) costs by group number, or price line, or style, use the most comparable basis for your new model.

For example, if under subdivision (i) you segregated your mackinaws from your jackets, you use for your new mackinaws the mackinaw cost which you found under subdivision (i).

Rule 2: Find the cost of each time operation on each new model by dividing (*a*) your pay roll for the operation during the period in which the operation on the model was being performed by (*b*) the total number of garments on which the operation was completed during that period.

For example: A mackinaw manufacturer's cutters worked on one new model for three weeks. During that three-week period they cut 1000 garments, including that model. His cutting cost is calculated by dividing his cutters' pay roll for three weeks by 1000.

NOTE: Before a garment is delivered, a record, similar to Form E in Appendix B, must be made of its actual direct labor cost, calculated as above.

SEC. 6. *Limit on maximum prices*—(a) *How the limit operates.* On and after the effective date of this regulation, you must not sell or deliver a garment for more than your highest price line for the group to which it belongs. (Groups of garments are listed in Appendix A). Even though the price of a garment, if calculated from its direct cost and your division factor, would be more than your highest price line, the garment's maximum price cannot exceed this limit.

Example: Y Company, which sold to only one class of trade in 1942, has a highest price line of $30 per dozen for men's mackinaw coats. Its general division factor is .80. It now produces two kinds of men's mackinaws, the first having a direct cost of $20, the other a direct cost of $25. Using its division factor, it finds a ceiling price of $25 for the first kind, and a price of $31.25 for the second kind. The first kind, of course, may be sold at $25, but because of the limit on maximum prices, the ceiling price for the second kind cannot be higher than $30, regardless of its cost.

(b) *What is a "highest price line".* Your "highest price line" is a figure which represents the highest price for each group of garments consistent with your course of business in 1942. It will be a different figure for each group of garments and also, if you have separate class division factors, for each class price. For example, you might have highest price lines of $30 for men's mackinaws sold at Class I prices, and $36.00 for men's mackinaws sold at Class II prices; or $15 for boys' leather jackets sold at Class I prices, and $18 for boys' leather jackets sold at Class II prices, and so forth. You will find your highest price lines in one of the following ways, depending on your dealings in these groups of garments in 1942.

(1) *If you delivered garments in a particular group during 1942, and you do not have separate class division factors:* Your highest price line for this group is the highest price at which you delivered any garment of the group during 1942 (excluding, of course, any delivery made in excess of the ceiling price in effect at the time). You must prepare by September 6, 1943, and thereafter preserve a list of the groups of garments, setting opposite each group number the highest price line for this group.

(2) *If you delivered garments in a particular group during 1942, and you have separate class division factors:* Your highest price lines for this group are the highest prices at which you delivered garments of the group during 1942 (excluding, of course, any delivery made in excess of the ceiling price in effect at the time), adjusted to reflect your differential between classes of trade. You find the highest price lines for this group by filling out the form below (Form C) in accordance with the instructions listed under the form. The form is divided into two parts—the upper part is blank and the lower part contains figures. The figures in the lower part are merely for the purpose of illustration. You must fill in the blank part by September 6, 1943. Moreover, you must preserve a copy of this Form C as a record.

FORM TO BE USED IN FINDING HIGHEST PRICE LINES BY SELLERS WITH SEPARATE CLASS DIVISION FACTORS

(FORM C)

[Copies of this form will not be furnished by the Office of Price Administration. Please make your own copies]

Col. 1 Group No.	Col. 2 Actual highest price to class I purchaser	Col. 3 Actual highest price to class II purchaser	Col. 4 Adjusted highest price to class I purchaser	Col. 5 Adjusted highest price to class II purchaser	Col. 6 Highest class I price line	Col. 7 Highest class II price line
Examples:						
2	$10	$12	*$10.43	*$11.50	*$10.43	$12.00
13	50	45.00	*39.13	*57.50	50.00	57.50
17	32	No sale		*36.80	32.00	36.80
35	5	5.75	*5.00	*5.75	5.00	5.75

*In the examples, it is assumed that the seller's percentage ratio of his class II price to his class I price is 1.15.

Column No:

1. *"Group No."* List the number of the group to which the garment being priced belongs. (Groups of garments, and group numbers, are listed in Appendix A).
2. *"Actual highest price to Class I purchasers."* List the highest price at which a garment in this group was actually delivered to a Class I purchaser in 1942.

Column No.:

3. *"Actual highest price to Class II purchasers."* List the highest price at which a garment in this group was actually delivered to a Class II purchaser in 1942.
4. Divide the entry in Col. 3 by the "percentage ratio of your Class II price to your Class I price" (from line 20 of Form B), and enter the result. (This is the Class I price which bears a normal relation to your highest Class II price).
5. Multiply the entry in Col. 2 by the "percentage ratio of your Class II price to your Class I price" (from line 20 of Form B), and enter the result. (This is the Class II price which bears a normal relation to your highest Class I price).
6. Enter the higher of the prices found in Columns 2 and 4. (This is your Class I highest price line for garments in this group).
7. Enter the higher of the prices found in Columns 3 and 5. (This is your Class II highest price line for garments of this group).

(3) *If you did not deliver any garments in a particular group during 1942 to any class of purchaser:* In this case, you will refer to your most closely competitive seller of the same class, and will be limited by his highest price lines for this group of garments. Your most closely competitive seller is a manufacturer who (i) sells to the same class or classes of purchasers, (ii) is closely competitive in the sale of such garments, and (iii) is located nearest to you.

Example: (1) X, a seller who did not deliver any men's mackinaws during 1942 desires to do so now. Accordingly, he finds the highest price line of his most closely competitive seller of men's mackinaws. Since X did not sell to different classes of trade during 1942, and thus does not have separate class division factors, his closest competitor will also be a seller who does not have class division factors. Assume that he finds that this competitor's highest price line for men's mackinaws is $45. Then X must not sell any men's mackinaws at a price higher than $45.

(2) Y, a seller who did not deliver any men's loafer coats during 1942 desires to do so now. Since Y did sell to different classes of trade during 1942, and thus has separate class division factors, his closest competitor will also be a seller who has class division factors. Assume that he finds that this competitor's highest Class I price line for men's loafer coats is $50, and his highest Class II price is $55. Then Y must not sell any men's loafer coats at a Class I price higher than $50, nor at a Class II price higher than $55.

Moreover, you must prepare by September 16, 1943, and thereafter preserve a record which states that you did not deliver any garment in that group number during 1942 and which shows the name and address of your most closely competitive seller, and his highest price lines for that group.

SEC. 7. *How a seller who is unable to calculate his maximum prices under this regulation prices his garments*—(a) *Sellers who are not transferees.* If you do not have records for the entire 1942 fiscal year (and are not the transferee of a business, as provided in paragraph (b)), or are otherwise unable to calculate your maximum prices under this regulation, you must not sell or deliver winter garments at prices which exceed 110% of the direct cost of the garment until you have applied to the Office of Price Administration for authorization to establish maximum prices. After applying for such authorization, you may take orders at prices in excess of 110% of the direct cost of the garment, provided you stipulate that these prices are subject to downward adjustment if they

exceed the authorized maximum prices, and you do not bill for or collect in excess of 110% of the direct cost of the garment until after authorization is obtained. Three copies of an application for authorization to establish maximum prices must be filed with the Textiles, Leather and Apparel Price Division of the Office of Price Administration in Washington, D. C., setting forth the following:

(1) Applicant's name and address.

(2) Address of plant or plants where the seller intends to operate the new business.

(3) Date of commencement of business.

(4) Names of officers and three principal owners of the new business.

(5) The previous business connections of the officers and the three principal owners of the new business.

(6) A description of the kinds of winter garments desired to be sold, indicating the type of garment in accordance with the garment groups listed in the regulation.

(7) A list of the names and addresses of three or more manufacturers whose methods of operation in the applicant's opinion are most nearly like the methods of operation which the applicant intends to follow.

(8) Information with regard to the following:

(i) The type of trade to which the applicant expects the garment he manufactures to be distributed.

(ii) Proposed method of distribution—e. g., showroom sales, traveling sales and advertising, etc.

(iii) Proposed methods of manufacturing—e. g., own plant, contractor's shop, combination of both, etc.

(b) *Transfers and combinations.*—(1) If the business, assets, or stock-in-trade of any business was sold or otherwise transferred to you after the close of the 1942 fiscal year of the business, and you carry on the business, or continue to deal in the same type of commodities or services, in an establishment separate from any other establishment previously owned or operated by you, your maximum prices shall be the same as those to which your transferor would have been subject if no transfer had taken place, except as provided in paragraph (3) of this section, and the obligation to keep records sufficient to verify such prices shall be the same. The transferor must either preserve and make available, or turn over to you, all records of transactions prior to the transfer which are necessary to enable you to comply with the record provisions of this regulation.

(2) If the transfer occurred before the close of the 1942 fiscal year of the business, and after the beginning of the 1941 fiscal year, you must consolidate the records before and after the transfer and calculate your maximum prices as directed by paragraphs (a), (b) and (c) of section 2.

(3) If two or more manufacturers who were in the winter garment business during the 1942 fiscal year merge or consolidate, or have merged or consolidated after the beginning of the 1941 fiscal year and continue to operate as one, they must combine their records before and after the union and calculate maximum prices as directed by paragraphs (a), (b) and (c) of section 2.

SEC. 8. *Records and reports*—(a) *Records.* Every seller must maintain and keep available for the inspection of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, the following records:

(1) *Cutting ticket.* A separate cutting ticket shall be prepared for each cutting of materials, which shall contain the following information: (i) the date of cutting, (ii) the manufacturer's style number of the garment, (iii) the number of garments cut, (iv) the scale of sizes cut, (v) the actual yardage used, (vi) the grade of the materials used, and the number of the invoice on which the purchase of these materials is "recorded" and (vii) the cost per yard or per foot of materials used.

(2) *Cost records.* A record must be kept of the estimated direct costs of each garment, and the calculations used to arrive at the estimate must be indicated in this record. Moreover, upon each cutting of a style of garment, a record must be prepared of the actual material and trimming cost of that garment, and a record must also be kept of the actual direct labor cost incurred in producing the garment These records must contain at least the information indicated by the suggested forms in Appendix B.

(3) *Purchase record and invoices.* A record must be kept of all purchases of materials and trimmings, and the original invoices received from vendors or suppliers must be preserved.

(4) *Division factor forms.* A copy must be kept of the division factor forms, Forms A and B, which sections 3 and 4 require the seller to fill out. Moreover, the profit and loss statements and other records, from which the sales, costs, and profits figures used in calculating the division factors were obtained, must be preserved. Also a list must be kept of those purchasers who were considered Class I and Class II, in figuring class division factors under section 4.

(5) *Records of highest price lines.* Records of the highest price line for each garment group must be kept, as required by section 6. If you use separate class division factors, you also must preserve a copy of Form C.

(b) *Reports.* Every seller must file with the Office of Price Administration the division factor forms required by sections 3 and 4, and such other reports as the Office of Price Administration may from time to time require.

SEC. 9. *Invoices, sales slips, and receipts.* Every seller must, in connection with every sale of garments, deliver an invoice showing: (a) the date, (b) the name and address of the seller and purchaser, (c) the lot number of each of the different types of garments sold, (d) the quantities of each different style of garment sold, (e) the price contracted for or charged by the seller for each different type of garment sold, and (f) all discounts. Each type sold must be separately itemized. The seller must keep a copy of this invoice.

SEC. 10. *Prohibitions and enforcement*—(a) *Acts forbidden.* On and after the effective date of this regulation, the following acts are forbidden.

(1) *Charging more than the maximum price.* Every person is forbidden to sell or deliver any garment at a higher price than the maximum price fixed by this regulation. But no one is prohibited from charging a price below the maximum price.

(2) *Buying or receiving for more than the maximum price.* Every person is forbidden to buy or receive any garment in the course of trade or business for a higher price than the maximum price fixed by this regulation. But no person is prohibited from buying or receiving for a lower price.

(3) *Combination sales.* Every person is forbidden in the course of trade or business to make a sale of any garment which is conditioned directly or indirectly on the purchase of any other commodity or service.

(4) *Attempted violations.* Every person is forbidden to offer, solicit or attempt to do any of the acts forbidden by subparagraphs (1), (2) and (3).

(b) *Prior contracts.* The acts enumerated in paragraph (a) are forbidden regardless of any contract or other obligation. However, a contract made prior to July 26, 1943, at a fixed price (not subject to upward adjustment) which is no more than 3% over the maximum price permitted by this regulation, may be carried out at the contract price.

(c) *Discounts.* A price higher than the maximum may be stated on the invoice in order to allow for customary discounts and terms of payment, provided that the net price on the seller's customary terms is not in excess of the maximum price. However, a price above the maximum must not be stated in any case where the discount or time for payment is other than the seller has customarily offered to purchasers of the same class.

(d) *Enforcement.* Any person who does any act, or fails to do any act, in violation of this regulation is subject to the criminal penalties, civil enforcement suits, suits for treble damages and proceedings for the suspension of license provided by the Emergency Price Control Act of 1942, as amended.

SEC. 11. *Adjustable pricing.* You may sell winter garments at the maximum price permitted by this regulation, subject to an agreement with the buyer to charge a higher price if it becomes permissible at the date of delivery. Moreover, where (a) a request for a change in the applicable price is pending, (b) authorization is necessary to promote distribution or production, and (c) it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended, the Price Administrator may, upon application, grant you permission to adjust prices upon deliveries made during the pendency of the request in accordance with its disposition.

SEC. 12. *Licenses*—(a) *Licenses required.* A license, as a condition of selling, is hereby required of every manu-

facturer now or hereafter making a sale of a garment for which a maximum price is established by this regulation. A person whose license is suspended in proceedings under section 205 (b) (2) of the Emergency Price Control Act of 1942 shall not, during the period of suspension, sell any garment as to which his license to sell is suspended.

(b) *License granted.* Every person now or hereafter making a sale of any garment for which a maximum price is established by this regulation or by any amendment hereto is hereby granted a license as a condition of selling such garment. The provisions of this regulation shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on the effective date of this regulation, and shall unless suspended in accordance with the provisions of the Emergency Price Control Act of 1942, as amended, continue in force as long as such regulation or any amendment or supplement hereto remains in effect.

SEC. 13. *Relation to other maximum price regulations, and geographical applicability*—(a) *Regulations superseded.* For manufacturers' sales of winter garments, this regulation supersedes the provisions of the General Maximum Price Regulation,[1] including section 3.5 of Revised Supplementary Regulation No. 14 (formerly § 1499.73 (a) (37)[2] under Amendment 49 to Supplementary Regulation No. 14 to the General Maximum Price Regulation). However, § 1499.7 (Federal and State taxes) of the General Maximum Price Regulation, as well as the amendments thereto, shall continue to be applicable to every person selling garments covered by this regulation.

(b) *War procurement agencies.* This regulation does not apply to sales of winter garments made according to military specifications, and sold to any war procurement agency of the United States, such sales being governed by Maximum Price Regulation 157,[3] "Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes."

(c) *Contractors' services.* Contractors' charges for the fabrication of winter garments are not governed by this regulation, but by Maximum Price Regulation 172,[4] "Charges by Contractors in Apparel Industry." The term "contractor" is defined in § 1389.52 (d) of that regulation.

(d) *Tailored garments.* This regulation does not cover "men's and boys' tailored clothing," which is defined in and governed by Maximum Price Regulation 177,[5] "Men's and Boys' Tailored Clothing."

(e) *Export sales.* This regulation does not apply to export sales of winter garments. The Second Revised Maximum Export Price Regulation[6] applies to such sales.

(f) *Import sales.* The provisions of this regulation do not apply to deliveries which originate outside the 48 states and the District of Columbia. Such sales and deliveries are governed by the provisions of the General Maximum Price Regulation, and especially Revised Supplementary Regulation No. 12.[7] This regulation does, however, apply to domestic sales whether or not the articles sold were originally imported.

(g) *Geographical applicability of this regulation.* This regulation applies to the 48 states and the District of Columbia.

SEC. 14. *How this regulation may be amended.* Any person seeking a modification of any provision of this regulation may file a petition for amendment of general applicability. Any such petition must be filed in accordance with the provisions of Revised Procedural Regulation No. 1[8] issued by the Office of Price Administration.

Appendix A: What garments must be priced under this regulation—(a) *Leather coats.* Coats in lengths not less than the minimum listed below, of which the outer shell is wholly leather.

Group No.:
1. Men's—all sizes; lengths 28" and over.
2. Boys'—all sizes; lengths 26" and over on size 16 (other sizes in pro rata lengths).
3. Women's—all sizes; lengths 27" and over.
4. Girls'—all sizes; lengths 25" and over on size 16 (other sizes in pro rata lengths).

(b) *Leather jackets.* Jackets in lengths less than the minimums listed for leather coats, of which the outer shell is wholly leather.

Group No.:
5. Men's—all sizes.
6. Boys'—all sizes.
7. Women's—all sizes.
8. Girls'—all sizes.

(c) *Wool and leather coats.* Coats in lengths not less than the minimums listed below, of which the outer shell is made partly of leather and partly of wool or part wool fabrics weighing 18 ounces or more per yard on a 54" width basis.

Group No.:
9. Men's—all sizes; lengths 28" and over.
10. Boys'—all sizes; lengths 26" and over on size 16 (other sizes in pro rata lengths).
11. Women's—all sizes; lengths 27" and over.
12. Girls'—all sizes; lengths 25" and over on size 16 (other sizes in pro rata lengths).

NOTE: If the coats in group numbers 11 and 12 are made predominantly of wool, they are not covered by this regulation but are governed by Revised Maximum Price Regulation 287, "Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments.

(d) *Wool and leather jackets.* Jackets in lengths less than the minimums listed for wool and leather coats, of which the outer shell is made partly of leather and partly of wool or part wool fabrics weighing 18 ounces or more per yard on a 54" width basis.

Group No.:
13. Men's—all sizes.
14. Boys'—all sizes.
15. Women's—all sizes.
16. Girls'—all sizes.

NOTE: (1) If these jackets are in part fabricated from wool or part wool knitted materials by a manufacturer chiefly engaged in the knitted outerwear industry, they are not covered by this regulation.

(2) If the jackets in group numbers 15 and 16 are predominantly of wool, they are not covered by this regulation but are governed by Revised Maximum Price Regulation 287, "Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments.

(e) *Swagger, fingertip, and longer coats.* Coats in lengths not less than the minimums listed below, of which the outer shell is made of all wool or part wool fabrics weighing 18 ounces or more per yard on a 54" width basis. (Tailored coats are excluded.)

Group No.:
17. Men's—all sizes; lengths 33" and over
18. Boys'—all sizes; lengths 30" and over on size 16 (other sizes in pro rata lengths).

(f) *Mackinaw coats.* Double breasted coats in lengths not less than the minimums listed below but less than the minimums listed for swagger or fingertip coats, of which the outer shell is made of all wool or part wool fabrics weighing 18 ounces or more per yard on a 54" width basis.

Group No.:
19. Men's—all sizes; lengths 30" and over
20. Boys'—all sizes; lengths 27" and over on size 16 (other sizes in pro rata lengths).

(g) *Wool loafer coats.* Single breasted coats in lengths not less than the minimum listed below but less than the minimums listed for swagger or fingertip coats, of which the outer shell is made of all wool or part wool fabrics weighing 18 ounces or more per yard on a 54" width basis.

Group No.:
21. Men's—all sizes; lengths 28" and over
22. Boys'—all sizes; lengths 25" and over on size 16 (other sizes in pro rata lengths).

(h) *Wool jackets.* Jackets in lengths less than the minimums listed for loafer coats (if single breasted) or mackinaws (if double breasted), of which the outer shell is made of all wool or part wool fabrics weighing 18 ounces or more on a 54" width basis.

[1] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 5811, 9025.

[2] 7 F.R. 5486.

[3] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948; 8 F.R. 3948, 7507.

[4] 7 F.R. 4882, 6684, 8351, 8948, 10864; 8 F.R. 8063.

[5] 7 F.R. 5182, 7475, 6792, 7100, 7944, 8940, 8948, 9000.

[6] 8 F.R. 4132, 5987, 7662.

[7] 7 F.R. 10532, 8 F.R. 611, 2035.

[8] 7 F.R. 8961, 8 F.R. 3313, 3533, 6173.

Group No.:
23. Men's—all sizes
24 Boys'—all sizes

NOTE: If these jackets are in part fabricated from wool or part wool knitted materials by a manufacturer chiefly engaged in the knitted outerwear industry, they are not covered by this regulation.

(i) *Cotton shell coats.* Coats in lengths not less than the minimums listed below, lined with cotton flannel, cotton suede, cotton blanket, all wool, part wool, leather, or sheepskin, of which the outer shell is made of cotton (except corduroy).

Group No.:
25. Men's—all sizes; lengths 30" and over
26. Boys'—all sizes; lengths 27" and over on size 16 (other sizes in pro rata lengths).

(j) *Cotton shell jackets.*—Jackets in lengths less than the minimums listed for cotton shell coats, lined with cotton flannel, cotton suede, cotton blanket, all wool, part wool, leather, or sheepskin, of which the outer shell is made of cotton (except corduroy).

Group No.:
27. Men's—all sizes
28. Boys'—all sizes

(k) *Corduroy coats.* Coats in lengths not less than the minimums listed below, either lined or unlined, of which the outer shell is made of corduroy.

Group No.:
29. Men's—all sizes; lengths 28" and over
30. Boys'—all sizes; lengths 26" and over on size 16 (other sizes in pro rata lengths).

(l) *Corduroy jackets.* Jackets in lengths less than the minimums listed for corduroy coats, either lined or unlined, of which the outer shell is made of corduroy.

Group No.:
31. Men's—all sizes
32. Boys'—all sizes

(m) *Wool shirts.* Shirts made of all wool or part wool.

Group No.:
33. Men's—all sizes
34. Boys'—all sizes

(n) *Cotton shell vests.* Vests lined with cotton flannel, cotton suede, cotton blanket, all wool, part wool, leather, or sheepskin, of which the outer shell is made of cotton (other than corduroy).

Group No.:
35. Men's—all sizes
36. Boys'—all sizes

(o) *Corduroy vests.* Vests, either lined or unlined, of which the shell is made of corduroy.

Group No.:
37. Men's—all sizes
38. Boys'—all sizes

(p) *Corduroy pants and overalls.*

Group No.:
39. Men's—all sizes
40. Boys'—all sizes

(q) *Water repellent duck clothing.*

Group No.:
41. Men's and boys' pants and breeches—all sizes
42. Men's and boys' coats and jackets—all sizes.
43. Men's and boys' caps—all sizes

Appendix B: Suggested cost record forms

FORM D

[This form may be duplicated. Copies will not be furnished by the Office of Price Administration]

A—GENERAL INFORMATION

1. Garment group number .....
2. Highest price for garments of this group $.....
3. Style number and description of garment .....

4. General Division Factor for 1943 ....., Selling Price, 1943 $.....
5. Class I Division Factor for 1943 ....., Selling Price, 1943 $.....
6. Class II Division Factor for 1943 ....., Selling Price, 1943 $.....

B—RECORD OF DIRECT COSTS FOR EACH CUTTING, 1943

7. If this is a record of a cost estimate, specify date estimate was prepared .....
(NOTE: If this is a record of an estimate, items 8 and 9 need not be filled in.)
8. Date of cutting ..... Number of garments cut .....
9. Cutting ticket number or other identification .....
10. Material costs were calculated on: (check one) a gross basis ( ) or a net basis ( ).
11. Material and Trimming Costs:

Item	Description	Total for all garments in this cutting			Cost per garment or dozen
		Quantity used	Cost per yard, unit, etc.	Total cost cols. 3 x 4	
(1)	(2)	(3)	(4)	(5)	(6)
Outer ply					
Inner ply					
Thread					
Buttons					
Linings					
Labels					
Freight in					
Others: (Specify)					

12. Direct labor costs: Basis of payment (check one)
Cutting.....Piece rate ( ) or time ( ).....
Sewing.....Piece rate ( ) or time ( ).....
Pressing.....Piece rate ( ) or time ( ).....
Boxing and put-up.....Piece rate ( ) or time ( ).....
All other direct labor listed by craft or operation:
.....
.....
13. Total direct cost per..... .....
(Garment or dozen garments)

SUGGESTED FORM FOR KEEPING RECORDS OF DIRECT LABOR COSTS PAID ON A TIME BASIS

(FORM E)

[This form may be duplicated. Copies will not be furnished by the Office of Price Administration]

Pay-roll period	Type of garment†	Number of garments produced	Wages paid on a time basis									
			Cutting		Sewing		Pressing		Boxing and put-up		Other (specify)	
			Total	Av.	Total	Av.	Total	Av.	Total	Av.	Total	Av.

†If you have figured your direct labor costs for separate groups of garments, specify the group numbers of the garments covered. If you have not segregated the garments into groups, specify "All."

Effective date. This regulation becomes effective for all sellers on August 26, 1943. However, if you file your division factor forms and receive acknowledgment of their filing before this date, the regulation becomes effective as to you on the day such acknowledgment is received.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12081; Filed, July 26, 1943; 2:51 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 70]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1394.8103 (d) is added to read as follows:

(d) (1) Upon termination of the employment of a ration holder at a plant, establishment or facility at which an organized transportation plan has been established in the charge of a committee or official with authority to accept the surrender of expired rations, any supplemental ration issued for the use of such ration holder in connection with such employment shall expire and all unused books or coupons representing such ration shall be surrendered immediately by the holder thereof to such committee or official or to the issuing Board. If such ration is evidenced by credits in a ration bank account, the holder shall immediately issue to such committee or official or to the issuing Board a certified ration check, payable to the Office of Price Administration for the net balance in his account representing such expired ration after deducting the aggregate gallonage of all outstanding checks. A committee or official to whom any book or ration coupons or a ration check is surrendered shall issue a receipt therefor, and promptly forward such book, coupons or check to the issuing Board, or, in the event the rations for the employees are issued by more than one Board the book, coupons or ration check shall be forwarded in such manner as may be prescribed by the District Director having jurisdiction over the area in which such plant, establishment or facility is located.

(2) Authority to accept the surrender of expired rations may be conferred upon the committee or official in charge of an organized transportation plan by the Board which has jurisdiction to issue rations for all of the employees of the plant, establishment or facility at which the plan has been established. If no Board has such jurisdiction the authority may be conferred by the District Director having jurisdiction over the areas in which such plant, establishment or facility is located.

This amendment shall become effective July 31, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W. P. B. Dir. 1, Supp. Dir. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12082; Filed, July 26, 1943; 2:46 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3261, 3253, 3255, 3254, 3315, 3616, 4189, 4341, 4850, 4976, 5267, 5268, 5486, 5564, 5756, 6261, 6179, 6441, 6846, 6687, 7390, 7455, 8009, 8180, 8680, 9021, 9022, 8980, 9062.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amdt. 48]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 9.2 (b), (c), (d) and (e) to Ration Order 13 are added to read as follows:

(b) An industrial user who has an excess inventory of processed foods may apply for permission to sell or transfer any part of that excess. The application shall be made on OPA Form R-315 to the Board with which he is registered. He must state in his application the kinds, quantities and point value of the processed foods he wishes to sell or transfer, the reason he wishes to sell or transfer them, the way in which they are to be sold or transferred, and any other information that the Board requests. The Board shall grant the application if good cause is shown. If the application is granted, the processed foods must be sold or transferred for points in the same way that a retailer is permitted to sell or transfer processed foods, and within five days after the sale or transfer, the transferor must give up to the Board all points which he received for the processed foods sold or transferred. The Board shall reduce his excess inventory by an amount equal to the number of points given up.

(c) Institutional users may sell or transfer processed foods only as permitted in General Ration Order 5.

(d) Any person not covered by paragraphs (a) (b) or (c) may apply for permission to sell or transfer processed foods. The application shall be made on OPA Form R-315 to the Board for the place where he lives or where he has his principal business office. He must state in his application the kinds, quantities and point value of the processed foods he wishes to sell or transfer, the reason he wishes to sell or transfer them, the way in which they are to be sold or transferred, and any other information that the Board requests. Only one such application may be made by a person on his own behalf or on behalf of the members of his family unit. The Board shall grant the application if good cause is shown. If the application is granted, the processed foods must be sold or transferred for points in the same way that a retailer is permitted to sell or transfer processed foods, and within five days after the sale or transfer, the transferor must give up to the Board all points which he received for the processed foods sold or transferred.

(e) If the person making the sale or transfer, as permitted in paragraph (d), is a consumer who has been charged with an excess number of cans of processed foods (as shown by a notation on the inside front cover of his War Ration Book Two, or by the removal from his War Ration Book Two of eight point blue stamps which have not yet become valid), the number of cans with which he is charged shall be reduced by one for each can or bottle of processed foods of eight ounces or over which he has transferred and for which he turns over points. If the number of cans by which that reduction is to be made does not exceed the notation on the inside front cover of the consumer's book, the Board shall reduce the number noted on the book by the appropriate amount. Otherwise, the Board shall issue a substitute book exactly corresponding to that surrendered by the consumer, except that no number shall be written on the inside front cover of the substitute book and an appropriate reduction shall be made in the number of eight point blue stamps not yet valid, which are to be removed. If the processed foods sold or transferred were charged against several members of a family unit the Board shall divide the reduction as equally as possible among the books of members of the family unit which have been charged with an excess number of cans of processed foods.

This amendment shall become effective July 31, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12083; Filed, July 26, 1943; 2:47 p. m.]

[1] 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179, 3949, 4342, 4525, 4726, 4784, 4892, 4921, 5318, 5341, 5342, 5480, 5568, 5757, 5758.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 50]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 10.1 (b) is amended by adding the following sentence to the end thereof:

(b) * * * The board shall credit him with those points by deducting that

[1] 8 F.R. 6446.

number from his excess inventory (if any), and by giving him a certificate for the amount by which the number of points given up exceeds his excess inventory (if any).

2. Section 10.1 (d) is added to read as follows:

(d) An industrial user who has an excess inventory of foods covered by this order may apply for permission to sell or transfer any part of that excess. The application shall be made on OPA Form R-315 to the board with which he is registered. He must state in his application the kinds, quantities and point value of the foods covered by this order which he wishes to sell or transfer, the reason he wishes to sell or transfer them, the way in which they are to be sold or transferred, and any other information that the board requests. The board shall grant the application if good cause is shown. If the application is granted, the foods covered by this order must be sold or transferred for points in the same way that a retailer is permitted to sell or transfer such foods, and within five (5) days after the sale or transfer, the transferor must give up to the board all points which he received for the sale or transfer. The board shall reduce his excess inventory by an amount equal to the number of points given up.

3. Section 10.1 (e) is added to read as follows:

(e) "Institutional users" may sell or transfer foods covered by this order in the way permitted by General Ration Order 5.

4. Section 10.1 (f) is added to read as follows:

(f) Any "person" not covered by paragraphs (a), (b), (c), (d), or (e) may apply for permission to sell or transfer foods covered by this order. The application shall be made on OPA Form R-315 to the board for the place where he lives or where he has his principal business office. He must state in his application the kinds, quantities and point value of the foods covered by this order which he wishes to sell or transfer, the reason he wishes to sell or transfer them, the way in which they are to be sold or transferred, and any other information the board requests. The board shall grant the application if good cause is shown. If the application is granted, the foods covered by this order must be sold or transferred for points in the same way that a retailer is permitted to sell or transfer such foods, and within five (5) days after the sale or transfer the transferor must give up to the board all points which he received for the foods sold or transferred.

This amendment shall become effective July 31, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562 and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471.)

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12084; Filed, July 26, 1943; 2:46 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 80 Under SR 15 to GMPR]

WHITE STAR TRUCKING LINES

Order No. 80 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-1636.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1380 *Order denying application for adjustment of John S. Daniels, d/b/a White Star Trucking Lines.* (a) The application for adjustment filed by John S. Daniels, d/b/a White Star Trucking Lines, 111 Westminster Avenue, Buffalo, New York requesting an increase in the maximum prices for contract carrier services furnished to National Biscuit Company from, to and between points in New York and Pennsylvania, is hereby denied.

(b) This Order No. 80 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 80 (§ 1499.1380) shall become effective July 26, 1943.

(Pub. Laws Nos. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12085; Filed, July 26, 1943; 2:46 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,[1] Amdt. 74]

SUGAR RATIONING REGULATIONS: STAMP 14

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new item is added to § 1407.243 to read as follows:

§ 1407.243 *Schedule C: Designation of ration periods and weight value of stamps valid therein.*

Ration period	Stamp valid during ration period	Weight value of stamp
* *	* *	* *
No. 14 (August 16, 1943, to November 1, 1943).	Stamp No. 14..	5 pounds.

This amendment shall become effective July 31, 1943.

(Pub. Law 421, 77th Cong., Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12090; Filed, July 27, 1943; 9:16 a. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 3-5, Amdt. 2]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN DESIGNATED COUNTIES IN OHIO

A statement of the considerations involved in the issuance of this Amendment No. 2 to Restaurant Maximum Price Regulation No. 3-5 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Restaurant Maximum Price Regulation No. 3-5 is amended in the following respects:

(1) Section 3 (a) is amended by the addition of the following new class of food items.

(22a) Seasonal dessert specialities, such as watermelons, cantaloupes, and berries.

(2) Section 4 is amended by the addition of the following sentence to the first paragraph contained in said section 4.

The provisions of this section shall not apply to seasonal dessert specialities as specified in Section 3 (a), class (22a).

(3) Section 7 is amended by the addition of a new paragraph (c) as follows:

(c) *Seasonal eating and drinking establishments.* If you are the proprietor of a seasonal eating and drinking establishment you must figure your ceiling prices as follows:

(1) If your establishment was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3 and 4, of this regulation.

(2) If your establishment was not in operation during the base period from April 4 to April 10, but another establishment of the same type and within reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the provisions of section 7 (a) and (b) herein.

(3) If you cannot price under paragraphs (1) or (2) herein, and your establishment is not yet in operation, you shall apply for approval of maximum prices to the Office of Price Administra-

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5909, 5846, 6135, 6442, 6626, 6961, 7351, 7380, 8010, 8184, 8678, 8811.

tion District Office for the area in which your establishment is located. Your application must be filed at least 10 days prior to the date on which you plan to commence operations and must include the following information.

(i) Your name and address and the name and address of your establishment.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the present or coming season, differentiating between week day, and Sunday and holiday prices.

(iv) The date on which you plan to commence operations.

(v) The names of two establishments similar to yours in your vicinity.

You may then charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. The OPA may at any time, after proper investigation and hearing, establish or reestablish such maximum prices for your business as it deems proper and equitable.

(4) If your establishment is already in operation and you cannot price under paragraphs (1) or (2) herein, you shall, within 10 days of the effective date of this amendment, file application with the Office of Price Administration District Office for the area in which your establishment is located for approval of the prices which you are presently charging. Such application shall include the same information as set forth for applications under paragraph (3) herein. Such listed prices shall be your maximum prices, but shall be subject to modification or adjustment at any time by the Office of Price Administration.

This amendment shall become effective July 13, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued July 13, 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 43-12091; Filed, July 27, 1943; 9:16 a. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 3-6, Amdt. 1]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN DESIGNATED COUNTIES IN MICHIGAN

A statement of the considerations involved in the issuance of this Amendment No. 1 to Restaurant Maximum Price Regulation No. 3-6 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Restaurant Maximum Price Regulation No. 3-6 is amended in the following respects:

1. Section 3 (a) is amended by the addition of the following new class of food items:

(22a) Seasonal dessert specialties, such as watermelons, cantaloupes, and berries.

2. Section 4 is amended by the addition of the following sentence to the first paragraph contained in said section 4:

The provisions of this section shall not apply to seasonal dessert specialties as specified in section 3 (a), class (22a).

3. Section 7 is amended by the addition of a new paragraph (c) as follows:

(c) *Seasonal eating and drinking establishments.* If you are the proprietor of a seasonal eating and drinking establishment you must figure your ceiling prices as follows:

(1) If your establishment was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3 and 4, of this regulation.

(2) If your establishment was not in operation during the base period from April 4 to April 10, but another establishment of the same type and within reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the provisions of Section 7 (a) and (b) herein.

(3) If you cannot price under paragraphs (1) or (2) herein, and your establishment is not yet in operation, you shall apply for approval of maximum prices to the Office of Price Administration District Office for the area in which your establishment is located. Your application must be filed at least 10 days prior to the date on which you plan to commence operations and must include the following information.

(i) Your name and address and the name and address of your establishment.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the present or coming season, differentiating between weekday, and Sunday and holiday prices.

(iv) The date on which you plan to commence operations.

(v) The names of two establishments similar to yours in your vicinity.

You may then charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. The Office of Price Administration may, at any time, after proper investigation and hearing, establish or re-establish such maximum prices for your business as it deems proper and equitable.

(4) If your establishment is already in operation and you cannot price under paragraphs (1) or (2) herein, you shall, within 10 days of the effective date of this amendment, file application with the Office of Price Administration District Office for the area in which your establishment is located for approval of the prices which you are presently charging. Such application shall include the same information as set forth for applications under paragraph (3) herein. Such listed prices shall be your maximum prices, but shall be subject to modification or adjustment at any time by the Office of Price Administration.

This amendment shall become effective July 13, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued July 13, 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 43-12092; Filed, July 27, 1943; 9:17 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] Amdt. 31]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS; ICE CREAM AND ICE CREAM MIX

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 14 to Maximum Price Regulation 280 is amended to read as follows:

This Amendment 14 shall become effective February 22, 1943, and terminate on September 23, 1943.

This Amendment No. 31 shall become effective as of July 24, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12087; Filed, July 27, 1943; 9:15 a. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[2] Amdt. 2]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 418 is amended in the following respects:

1. The title of Schedule No. 5 in Table A of section 20 is amended by deleting the words "(Limanda limanda)" and inserting in their place the words "(Hippoglossoides platessoides)".

2. Schedule Nos. 49 and 50 are added to Table A of section 20 to read as follows:

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5165, 7566, 6357, 7196, 7599, 7670, 8065, 8180, 9386, 9883.

[2] 8 F.R. 9366.

TABLE A.—MAXIMUM PRICES FOR PRODUCERS OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price in cents per pound																							
					January		February		March		April		May		June		July		August		September		October		November		December	
					Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed
49	Pilchards (Sardinia Caerulea) (per ton) [18].	1	Round.	All sizes.	22.00	----	22.00	----	----	----	----	----	----	----	----	----	----	----	22.00	----	22.00	----	22.00	----	22.00	----	22.00	----
50	Pilchards (Sardinia Caerulea) (when sold for bait only) [18].	1	Round.	All sizes.	.02	----	.02	----	----	----	----	----	----	----	----	----	----	----	.02	----	.02	----	.02	----	.02	----	.02	----

3. Footnote 18 is added to the end of Table A in section 20 to read as follows:

[18] The maximum prices listed for this fish apply only when it is landed ex-vessel in ports of entry in California.

4. The title of Schedule No. 5 in Table B of section 20 is amended by deleting the words "(Limanda limanda)" and inserting in their place the words "(Hippoglossoides platessoides)".

5. The title of Schedule No. 5 in Table C of section 20 is amended by deleting the words "(Limanda limanda)" and inserting in their place the words "(Hippoglossoides platessoides)".

6. The title of Schedule No. 5 in Table D of section 20 is amended by deleting the words "(Limanda limanda)" and inserting in their place the words "(Hippoglossoides platessoides)".

7. The title of Schedule No. 5 in Table E of section 20 is amended by deleting the words "(Limanda limanda)" and inserting in their place the words "(Hippoglossoides platessoides)".

This amendment shall become effective July 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12088; Filed, July 27, 1943; 9:16 a. m.]

PART 1393—ICE

[MPR 154 as Amended,[1] Amdt. 5]

ICE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 154, as amended, is amended in the following respects:

Section 1393.12 (f) is hereby revoked.

This amendment shall become effective July 26, 1943.

*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 5139, 5276, 5944, 8940, 8948; 8 F.R. 1270, 7593, 8844.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F. R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12089; Filed, July 27, 1943; 9:15 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14A[1] to GMPR, Amdt. 2]

MILK & MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of § 1499.73a (a) (1a), as provided for in Amendments 119 and 184 to Supplementary Regulation 14, is amended to read as follows:

This amendment shall become effective February 22, 1943 and shall terminate on September 23, 1943.

This Amendment No. 2 shall become effective as of July 24, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12093; Filed, July 27, 1943; 9:15 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service; Bureau of the Public Debt.

[1943 Dept. Circ. 696, Amdt. 2]

TREASURY SAVINGS NOTES, SERIES C

JULY 27, 1943.

1. Paragraph 1 (a) of section V of Department Circular No. 696 (7 F.R. 7260), as amended (8 F.R. 8684), is hereby further amended to read as follows:

1. *General.* (a) Any Treasury Savings Note of Series C not presented in payment of taxes, will be paid at maturity, or, at the option and request of the owner and without advance notice, will be redeemed before maturity, but the notes may be redeemed before maturity only during and after the sixth calendar month after the month of issue (as shown on the face of each note).

[1] 8 F.R. 9835, 9885.

2. This amendment shall apply to Treasury Savings Notes, Series C, and to notes issued as Treasury Notes of Tax Series C without regard to the date of issue or to the designation of the notes.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 43-12122; Filed, July 27, 1943; 11:34 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. A-534, et al.]

ALL PETITIONS GRANTED RELIEF WITHOUT HEARINGS

ORDER TERMINATING TEMPORARY RELIEF AND DISMISSING PROCEEDINGS

In the matter of all petitions filed pursuant to section 4 II (d) of the Act in which temporary relief has been granted without a hearing. Docket nos: A-534, A-1642, A-1686, A-1713, A-1780, A-1790, A-1864, A-1899, A-1906, A-1912, A-1915, A-1927, A-1929, A-1958, A-1960, A-632, A-1962, A-1963, A-1968, A-1981, A-1985, A-1986, A-1991, A-1997, A-2004, A-2018, A-2022, A-2024, A-2025, A-2031, A-2034, A-1956, A-2037, A-2038, A-1267-II, A-1559-II, A-1645-II, A-1914-II, A-1918-II, A-1943-II, A-1949-II, A-1989-II, A-1999-II, A-2006-II, A-2010-II, A-2017-II, A-2032-II A-1889-II.

Orders having been issued granting temporary relief in each of the above-designated dockets without a hearing; and it appearing appropriate to terminate such temporary relief and dismiss such proceedings in each such docket in view of the fact that the Bituminous Coal Act of 1937 will cease to be in effect as of 12·01 a. m. August 24, 1943;

Now therefore it is ordered, That effective 12:01 a. m. August 24, 1943, the temporary relief heretofore granted in each of the above-designated dockets be, and the same hereby is, terminated and the proceedings in each of the above-designated dockets be, and the same

hereby is, dismissed as of 12:01 a. m. August 24, 1943.

Dated: July 24, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-12102; Filed, July 27, 1943; 10:58 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F. R. 2862, and as amended June 25, 1942, 7 F. R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments, Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943, (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry:

Baldwyn Manufacturing Company, Baldwyn, Mississippi; Men's cotton work shirts; 10 percent (T); effective July 22, 1943, expiring July 22, 1944.

Fletcher Brothers Company, 436-440 S. Liberty Street, Winston-Salem, North Carolina; Overalls, dungarees; 10 learners (T); effective July 24, 1943, expiring July 24, 1944.

Frackville Manufacturing Company, 9th and Scull Streets, Lebanon, Pennsylvania; Pajamas, shirts, operating gowns and shorts; 10 percent (T); effective August 4, 1943, expiring August 4, 1944.

Gottsegen & Kaufman, 76 Franklin Street, New Haven, Connecticut; Men's wool, cotton, rayon and gabardine trousers; 10 learners (T); effective July 21, 1943, expiring July 21, 1944.

Gracette Manufacturing Company, 308 Ontario Street, Cohoes, New York; Nightgowns, pajamas and bed jackets; 6 learners (T); effective July 26, 1943, expiring July 26, 1944.

Hopkinsville Clothing Manufacturing Company, Hopkinsville, Kentucky; Cotton trousers; 10 percent (T); effective July 22, 1943, expiring July 22, 1944.

Klein Dress Company, 210 North Valley Avenue, Olyphant, Pennsylvania; Ladies' and children's cotton dresses; 10 percent (T); effective July 22, 1943, expiring July 22, 1944.

M. Kutcher, 2149 North Warnock Street, Philadelphia, Pennsylvania; Infants' dresses; 5 learners (T); effective July 24, 1943, expiring July 24, 1944.

A Morganstern and Company, Fredericksburg, Virginia; Pants; 10 percent (T); effective July 24, 1943, expiring July 24, 1944.

Nannette Manufacturing Company, 2052 Wheatsheaf Lane, Philadelphia, Pennsylvania; 10 percent (T); Toddler & baby frocks; effective July 22, 1943, expiring July 22, 1944.

Reade Manufacturing Company, Malden, Missouri; Men's shirts; 50 learners (A. T.); effective July 26, 1943, expiring January 26, 1944.

Stoughton Garment Company, Stoughton, Wisconsin; Men's trousers; 10 learners (T); effective July 31, 1943, expiring July 31, 1944.

Sweet Manufacturing Company, 1100 Commerce Street, Dallas, Texas; Sport shirts and neckwear; 10 learners (T); effective July 26, 1943, expiring July 26, 1944.

Hosiery Industry

Harriman Hosiery Mills, Harriman, Tennessee; Seamless hosiery; 200 learners (A. T.); effective July 26, 1943, expiring January 26, 1944. (This certificate replaces the one effective July 14, 1943 and expiring January 14, 1944.)

Lutz Hosiery Mill, 107 Boundry Street, Lenoir, North Carolina; Anklets; 35 learners (A. T.) effective July 26, 1943, expiring January 26, 1944.

Pilot Full Fashion Mills, Incorporated, Valdese, North Carolina; Thrown and twisted yarns; 26 learners (A. T.); effective July 22, 1943, expiring January 22, 1944.

Victor Hosiery Branch, Greencastle, Pennsylvania; Wool and cotton light weight socks; 20 learners (E); effective July 26, 1943, expiring January 26, 1944.

Knitted Wear Industry

John Rems and Sons, 22 Locust Street, Macungie, Pennsylvania; Ladies' cotton ribbed knitted union suits, vests and pants; 5 learners (T); effective August 4, 1943, expiring August 4, 1944.

Telephone Industry

Central Iowa Telephone Company, Reinbeck, Iowa; To employ learners as commercial switchboard operators at its Reinbeck exchange, located at Reinbeck Iowa; effective August 25, 1943, expiring August 25, 1944.

Textile Industry

Correction: Perkasie Throwing Mill

Perkasie Throwing Mill, Incorporated, 9th Street, Perkasie, Pennsylvania, manufacturers of nylon, rayon and cotton, Certificate of July 1, 1943 for 8 learners is effective for six months period, expiring January 1, 1944, instead of July 1, 1944.

Algodon Manufacturing Company, Bessemer City, North Carolina; Cotton staple; 3 percent (T); effective July 22, 1943, expiring July 22, 1944.

Erickson Textile Company, 626 North Locust Street, Momence, Illinois; Cotton duck and fish nets; 3 learners (T); effective July 20, 1943, expiring 20, 1944.

Sauquoit Silk Company, Incorporated, 302 Fig Street, Scranton, Pennsylvania; Processing nylon shroud lines, throwing nylon, rayon, and miscellaneous fibers; 75 learners (A. T.); effective July 21, 1943, expiring January 21, 1944.

Whitley Cotton Mills, Incorporated, Clayton, North Carolina; Yarns, cottons; 3 percent (T); effective July 26, 1943, expiring July 26, 1944.

Signed at New York, N. Y., this 24th day of July, 1943.

MERLE D. VINCENT, *Authorized Representative of the Administrator.*

[F. R. Doc. 43-11975; Filed, July 26, 1943; 12:37 p. m.]

FEDERAL TRADE COMMISSION.

[File No. 21-378]

CATALOG JEWELRY AND GIFTWARE INDUSTRY

NOTICE OF HEARING, AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 26th day of July, A. D. 1943.

In the matter of proposed trade practice rules for the Catalog Jewelry and Giftware Industry.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, associations or other parties or groups affected by or having an interest in the proposed trade practice rules for the Catalog Jewelry and Giftware Industry to present to the Commission their views concerning such rules, including such pertinent information, suggestions, or objections, if any, as they may desire to submit, and to be heard in the premises. For this purpose they may, upon application to the Commission, obtain copies of the proposed rules. Matters submitted in writing should be filed with the Commission not later than August 18, 1943. Opportunity for oral hearing and presentation will be afforded

at 10 a. m., August 18, 1943, in Room 532, Federal Trade Commission Building, Constitution Avenue at Sixth Street, Washington, D. C., to any such persons, partnerships, corporations, associations or other parties or groups as may desire to appear and be heard. After giving due consideration to all matters presented concerning the proposed rules, the Commission will proceed to their final consideration.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-12098; Filed, July 27, 1943; 10:16 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Divesting Order 4]

D. SCIAKY

Re: Patent application serial number 367,236.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having on November 2, 1942, vested by Vesting Order Number 293, as property in which a national of a foreign country had an interest, among other things, the patent application identified as follows:

Serial No.	Filing date	Inventor	Title
367,236	11-26-40	D. Sciaky	Process and machine for welding by electromagnetic storage of energy.

2. Having thereafter received a claim executed on Form APC-17 on behalf of Welding Research, Inc., an Illinois corporation, in which it was recited that the instrument of assignment from David Sciaky to Welding Research, Inc., was dated June 12, 1941;

3. Finding that the assignment referred to in subparagraph 2 hereof, from David Sciaky to Welding Research, Inc., was recorded in the United States Patent Office on March 22, 1943, at Liber Q-195, page 494;

4. Finding, as a result of further investigation conducted subsequent to November 2, 1942, that said patent application and all right, title and interest therein were on November 2, 1942, owned by Welding Research, Inc., and that the said Welding Research, Inc. was at that time, and at all times since then has been and now is, a corporation organized under the laws of the State of Illinois, having its principal place of business in the State of Illinois, and not acting or purporting to act directly or indirectly for the benefit or on behalf of, and not controlled by nor a cloak for, any designated enemy country or national thereof;

5. Determining that the aforesaid vesting was effected by the undersigned under mistake of fact;

6. Having received no other claim (except that hereinbefore mentioned in subparagraph 2 hereof), or notice of claim, on Form APC-1, or otherwise, to the said patent application or to any interest therein, or arising as a result of said vesting order; and having no knowledge of any interest in such patent application held by any national of any foreign country;

7. Having neither assigned, transferred or conveyed to anyone the said patent application or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

8. Determining that the error committed in vesting such patent application should be corrected by assigning and conveying said patent application to said Welding Research, Inc., and that such disposition of the latter claim, being for the purpose of correcting a mistake made in vesting such patent application originally, does not require the filing of any further claim, nor any further hearing;

9. Having made all determinations and taken all action required by law; and

10. Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States;

hereby orders that the aforesaid patent application be assigned to Welding Research, Inc.

Now, therefore, the undersigned hereby, without warranty, assigns, transfers and conveys to Welding Research, Inc. the following patent application:

Serial No.	Filing date	Inventor	Title
367,236	11-26-40	D. Sciaky	Process and machine for welding by electromagnetic storage of energy.

Executed at Washington, D. C., on June 3, 1943.

[SEAL] LEO T. CROWLEY, *Alien Property Custodian.*

[F. R. Doc. 43-12040; Filed, July 26, 1943; 1:19 p. m.]

[Divesting Order Number 5]

L. STURBELLE

Re: Patent application serial number 331,265.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having on November 2, 1942, vested by Vesting Order Number 292, as property in which a national of a foreign country had an interest, among other things, patent application identified as follows:

Serial No.	Filing Date	Inventor	Title
331,265	5-23-40	L. Sturbelle	Leaching method and apparatus.

2. Having thereafter received a claim executed on Form APC-16 by Lucien Charles Sturbelle in which he claimed the said patent application as his property and stated that he had made no assignment thereof;

3. Finding that the said Lucien Charles Sturbelle is a subject of Belgium, and that the said Lucien Charles Sturbelle was at the time of said vesting, and at all times since then has been and now is, a resident of the United States, and is not acting or purporting to act directly or indirectly for the benefit or on behalf of, and not controlled by, or a cloak for, any designated enemy country or national thereof;

4. Determining that the aforesaid vesting was effected by the undersigned under mistake of fact;

5. Having received no other claim (except that hereinbefore mentioned in subparagraph 2 hereof), or a notice of claim, on Form APC-1, or otherwise, to the said patent application or to any interest therein, or arising as a result of said vesting order;

6. Having no knowledge of any interest in such patent application held by any national of any foreign country, except that of the said Lucien Charles Sturbelle, a resident of the United States;

7. Having neither assigned, transferred nor conveyed to anyone the said patent application or any part thereof or any interest therein, nor issued any license with respect thereto nor in any manner created any right or interest in any person whomsoever;

8. Determining that the error committed in vesting such patent application should be corrected by assigning and conveying said patent application to the said Lucien Charles Sturbelle and that such disposition of the said claim, being for the purpose of correcting a mistake made in vesting such patent application originally, does not require the filing of any further claim nor any further hearing;

9. Having made all determinations and taken all action required by law; and

10. Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States.

hereby orders that the aforesaid patent application be assigned to Lucien Charles Sturbelle.

Now, therefore, the undersigned hereby, without warranty, assigns, transfers and conveys to Lucien Charles Sturbelle the following patent application:

Serial No.	Filing date	Inventor	Title
331,265	5-23-40	L. Sturbelle	Leaching method and apparatus.

Executed at Washington, D. C., on June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12041; Filed, July 26, 1943; 1:26 p. m.]

[Amendment of Vesting Order 233]

PATENTS OF ENEMY NATIONALS

Whereas, pursuant to Vesting Order Number 233 of October 14, 1942, the undersigned intended to vest, among other things, patent number 1,765,928; and

Whereas, in describing such patent in said Vesting Order Number 233, the number was as a result of a typographical error, inadvertently designated as "1,865,928";

Now, therefore, Vesting Order Number 233 of October 14, 1942, is hereby amended as follows and not otherwise;

By substituting the number "1,765,928" for the number "1,865,928" appearing therein.

All other provisions of said Vesting Order Number 233 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on May 14, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12042; Filed, July 26, 1943; 1:20 p. m.]

[Amendment of Vesting Order 237]

CERTAIN REAL PROPERTY IN CLIFFSIDE PARK, NEW JERSEY OWNED BY SALVATORE LOFORTE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Salvatore Loforte is Palermo, Italy, and that he is a resident of Italy and a national of a designated enemy country (Italy);

2. That Salvatore Loforte is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

(a) Real property situated in Bergen County, New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of records held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on July 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that tract or parcel of land situated in the County of Bergen, State of New Jersey, more particularly described as follows:

Premises Borough of Cliffside Park, which on a certain map entitled "Map of Grantwood in the Borough of Cliffside Park, Bergen County, New Jersey" made by Alfred W. Williams, Civil Engineer and Surveyor, and duly filed in the Office of the Clerk of said County on May 1, 1901, as Map No. 805 is known and designated as part of lot number 12 and 13 in Block No. 18 on said map and more particularly bounded and described as follows: Beginning at a point in the westerly side of Anderson Avenue, distant 71.17 feet northerly from the corner formed by the intersection of the westerly side of said Anderson Avenue with the northerly side of Lafayette Avenue as said avenues are now laid out and which point is opposite the center line of a party wall standing partly on the premises hereby described and partly on the premises adjoining thereto on the south; running thence 1) to, through and beyond the center line of said party wall standing partly on the premises hereby conveyed and partly on the premises adjoining thereto on the south, north 45 degrees 44 minutes 30 seconds west, 110.47 feet to a point; running thence 2) north 50 degrees 7 minutes east along the rear line of lot 12 and 13 in Block 18 on the aforesaid map 19.86 feet to a point which point is opposite the center line of a party wall standing partly on the premises hereby described and partly on the premises adjoining thereto on the north; running thence 3) south 45 degrees 44 minutes 30 seconds east to, through and beyond the center line of said party wall standing on the premises hereby described and partly on the premises adjoining on the north 103.86 feet to a point in the westerly line of said Anderson Avenue; and running thence 4) southerly along the westerly line of said Anderson Avenue, 20.48 feet to the beginning.

[F. R. Doc. 43-12043; Filed, July 26, 1943; 1:30 p. m.]

[Amendment of Vesting Order 293]

J. REGNIER, ET AL.

Whereas, pursuant to Vesting Order Number 293 of November 2, 1942, the undersigned intended to vest, among other things, patent application described as follows:

Serial No.	Filing date	Inventor	Title
309,951	12-19-39	J. Lobstein	Electric heating apparatus for all applications.

Whereas, In describing said patent application in Exhibit A attached to and made a part of said Vesting Order Number 293, the number thereof was, as a result of a typographical error inadvertently designated as Serial Number "309,051";

Now, therefore, Vesting Order Number 293 of November 2, 1942, is hereby amended as follows and not otherwise:

By changing the number of said patent application appearing in Exhibit A attached thereto and made a part thereof as follows: "309,051" to "309,951".

All other provisions of said Vesting Order Number 293 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on May 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12044; Filed, July 26, 1943; 1:20 p. m.]

[Amendment of Vesting Order 661]

PATENTS OF H. THOMA, ET AL.

Whereas, Pursuant to Vesting Order Number 661 of January 12, 1943, the undersigned intended to vest, among other things, United States Patents described as follows:

Patent No.	Date	Inventor	Title
1,719,548	7/2/29	C. Huffschmidt	Water-softening filter and regenerating and purifying the same.
1,722,040	7/30/29	C. Dursch	Welding and soldering composition.
1,772,410	8/5/30	A. Abel	Method and device for producing stroboscopic light effects.
1,736,694	11/19/29	E. Blau	Stop for locating work in machine tools.

Whereas, In describing such patents in Exhibit A attached to and made a part of such Vesting Order Number 661, the numbers thereof were, as a result of typographical errors, inadvertently designated, respectively, as "1,719,458", "1,722,404", "1,722,410", "1,735,694";

Now, therefore, Vesting Order Number 661 of January 12, 1943, is hereby amended as follows and not otherwise:

By changing the numbers appearing in Exhibit A attached thereto and made a part thereof as follows:

"1,719,458" to "1,719,548";
"1,722,404" to "1,722,040";
"1,722,410-7/30/29" to "1,772,410-8/5/30";
"1,735,694" to "1,736,694".

All other provisions of such Vesting Order Number 661 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on May 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12045; Filed, July 26, 1943; 1:20 p. m.]

[Vesting Order 968]

FRATELLI BRANCA & CO., INC.

Re: Trade-marks used by Fratelli Branca & Co., Inc., and contractual interests relating thereto

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Count Dino (Bernardino) Branca, Countess Lina (Carolina) Dolfin Branca and Count Paolo Dolfin Boldu, all of whom are residents of Italy and who at one time were doing business as partners under the firm name of "Fratelli Branca" at 35 Via Broleto, Milan, Italy, are nationals of a foreign country (Italy);

2. Finding that Societa Anonima Fratelli Branca, a corporation organized under the laws of Italy and doing business at 35 Via Broleto, Milan, Italy, is a national of a foreign country (Italy);

3. Finding that Nobile Donna Contessa Teresa Legrenzi Branca, Steno dei Conti Branca, Pierluigi dei Conti Branca and Arturo Gerli, whose last known addresses are Milan, Italy, are nationals of a foreign country (Italy);

4. Finding that the persons referred to in subparagraphs 1 and 3 hereof are the owners jointly or severally of some or all of the trade-marks and other rights referred to in subparagraph 8-a hereof;

5. Finding that Societa Anonima Fratelli Branca is the owner of such of the trade-marks and other rights referred to in subparagraph 8-a hereof as are not owned by the persons referred to in subparagraphs 1 and 3 hereof;

6. Finding that Count Dino Branca, Countess Lina Dolfin Branca, Count Paolo Dolfin Boldu, Nobile Donna Contessa Teresa Legrenzi Branca, Steno dei Conti Branca, Pierluigi dei Conti Branca, and Arturo Gerli have interests in the agreement identified in subparagraph 8-b hereof;

7. Finding that the heirs, executors, administrators and assigns, if any, of each of the aforesaid persons referred to in subparagraphs 1 and 3 hereof are nationals of a foreign country (Italy);

8. Finding that the property described as follows:

a. The trade-marks registered in the United States Patent Office, under the numbers and on the dates set out in Exhibit A attached hereto and made a part hereof, the titles to which stand of record in the names of persons as stated in connection with each registration listed in said Exhibit, and the registrations thereof, together with the respective good will of the business in the United States and all its possessions to which said trade-marks are appurtenant, and any and all indicia of such good will (including but not limited to formulae, whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machinery and other equipment) and any interest of any nature whatsoever in, and any rights and claims of every character and description to said business, good will and trade-marks and registrations thereof, including without limitation all accrued royalties payable or held with respect to said trade-marks and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof; and

b. The interests of Count Dino Branca, Countess Lina Dolfin Branca, Count Paolo Dolfin Boldu, Nobile Donna Contessa Teresa Legrenzi Branca, Steno dei Conti Branca, Pierluigi dei Conti Branca, Arturo Gerli and their heirs, executors, administrators and assigns, and each of them, in and to an agreement dated July 30, 1936, by and between Count Dino Branca, Countess Lino Dolfin Branca, and Count Paolo Dolfin Boldu, parties of the first part, and Fratelli Branca & Co., Inc., party of the second part, relating to trade-mark No. 270,734 and others, subject to and including all modifications thereof and supplements thereto, including, but not by way of limitation, an agreement dated October 24, 1938, by and between the parties to the agreement dated July 30, 1936, and their successors in interest, and Fratelli Branca & Co., Inc., and constituting a supplement to said agreement of July 30, 1936, together with all accrued royalties and other monies payable or held with respect to such interests,

is property of, and is property payable or held with respect to trade-marks or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Italy);

9. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

10. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 8 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Trade-marks which are identified as follows and the titles to which stand of record in the United States Patent Office in the names of the registrants indicated respectively:

Trade-mark Reg. No.	Date	Registrant	Character of goods
23,850	Nov. 21, 1893, renewed Nov. 21, 1923.	Maria Branca Scala. Renewed by Dolores Dolfin Branca, Bernardino Branca and Carolina Dolfin Boldu Branca, Milan, Italy.	Anti-cholera remedy.
23,877	Nov. 28, 1893, renewed Nov. 28, 1923.	Maria Branca Scala. Renewed by Dolores Dolfin Branca, Bernardino Branca and Carolina Dolfin Boldu Branca, Milan, Italy.	Anti-cholera remedy.
23,898	Dec. 5, 1893, renewed Dec. 5, 1923.	Maria Branca Scala. Renewed by Dolores Dolfin Branca, Bernardino Branca and Carolina Dolfin Boldu Branca, Milan, Italy.	Anti-cholera remedy.
23,899	Dec. 5, 1893, renewed Dec. 5, 1923.	Maria Branca Scala, renewed by Dolores Dolfin Branca, Bernardino Branca and Carolina Dolfin Boldu Branca, Milan, Italy.	Anti-cholera remedy.
270,734	May 13, 1930	Fratelli Branca, Milan, Italy	Bitters.
285,705	Aug. 4, 1931	Fratelli Branca, Milan, Italy	Stomach bitters.
285,706	Aug. 4, 1931	Fratelli Branca, Milan, Italy	Stomach bitters.
285,707	Aug. 4, 1931	Fratelli Branca, Milan, Italy	Stomach bitters.
317,759	Oct. 2, 1934	Societa Anonima Fratelli Branca, Milan, Italy	Stomach bitters.
317,760	Oct. 2, 1934	Societa Anonima Fratelli Branca, Milan, Italy	Medicinal brandy.
319,742	Dec. 4, 1934	Societa Anonima Fratelli Branca, Milan, Italy	Stomach bitters.
320,331	Dec. 25, 1934	Societa Anonima Fratelli Branca, Milan, Italy	Stomach bitters.
321,725	Feb. 12, 1935	Societa Anonima Fratelli Branca, Milan, Italy	Stomach bitters.
323,804	Apr. 30, 1935	Societa Anonima Fratelli Branca, Milan, Italy	Vermouth.
323,805	Apr. 30, 1935	Societa Anonima Fratelli Branca, Milan, Italy	Vermouth.

[F. R. Doc. 43-12046; Filed, July 26, 1943; 1:30 p. m.]

[Vesting Order 1023]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

Re: Interest of I. G. Farbenindustrie Aktiengesellschaft in a certain agreement and patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that I. G. Farbenindustrie Aktiengesellschaft of Frankfort-on-Main, Germany, a corporation organized under the laws of Germany, is a national of a foreign country (Germany);

2. Finding that said I. G. Farbenindustrie Aktiengesellschaft has an interest in the contract referred to in subparagraph 4-a hereof and is the owner of the patent referred to in subparagraph 4-b hereof;

3. Finding that the successors and assigns, if any, of the said I. G. Farbenindustrie Aktiengesellschaft are nationals of a foreign country (Germany);

4. Finding, therefore, that the property described as follows:

a. The interest of said I. G. Farbenindustrie Aktiengesellschaft, its successors and assigns, and each of them, in and to an agreement dated June 18, 1936, by and between it and Hercules Powder Company, a Delaware corporation, relating, among other things, to United States Letters Patent pertaining to cellulose acetate, including all royalties and other moneys payable or held with respect to said interest, and all damages for breach of said agreement, together with the right to sue therefor,

b. All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent owned by said I. G. Farbenindustrie Aktiengesellschaft:

Patent No.	Date of issue	Inventor's name	Title
1,948,903	2/27/34	Erich Correns, Albert Mohring	Process for improving acyl cellulose.

is property of or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany):

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 4, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12047; Filed, July 26, 1943; 1:30 p. m.]

[Vesting Order 1046]

CERTAIN CLAIM AGAINST RESINOUS PRODUCTS & CHEMICAL COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order No. 130 of August 28, 1942, that Resinous Products & Chemical Company, Inc., a corporation, is a business enterprise within the United States and is a national of a designated enemy country (Germany);

2. Determining that Chemie Holding, A. G., is acting for or on behalf of nationals of a designated enemy country (Germany) and, therefore, is a national of a designated enemy country (Germany);

3. Finding that said Chemie Holding, A. G., is the owner of property described in subparagraph 4 hereof;

4. Finding, therefore, that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of said Chemie Holding, A. G., in and to all obligations contingent or otherwise, and whether or not matured, owing to Chemie Holding, A. G., by said Resinous Products & Chemical Company, Inc., including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the interest of Chemie Holding, A. G. in Resinous Products & Chemical Company, Inc., represented on the books and records of Resinous Products & Chemical Company, Inc., as an account payable,

is an interest in the aforesaid business enterprise held by, and is also property within the United States owned or controlled by, a national of a designated enemy country (Germany);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designate enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12048; Filed, July 26, 1943; 1:30 p. m.]

[Vesting Order 1341]

QUARZLAMPEN GESELLSCHAFT

Re: Interest of Quarzlampen Gesellschaft m. b. H. in a contract relating to United States Letters Patent No. 1,554,812.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Quarzlampen Gesellschaft m. b. H. is a corporation organized under the laws of Germany and is therefore a national of a foreign country (Germany);

2. Finding that said Quarzlampen Gesellschaft m. b. H. is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Quarzlampen Gesellschaft m. b. H. by virtue of an agreement dated January 14, 1927 (including all modifications thereof and supplements thereto, if any) by and between said Quarzlampen Gesellschaft m. b. H. and Hanovia Chemical and Manufacturing Company, which agreement relates among other things to United States Letters Patent No. 1,554,812,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12049; Filed, July 26, 1943; 1:31 p. m.]

[Vesting Order 1343]

JENAER GLASWERK SCHOTT & GENOSSEN

Re: Interests of Jenaer Glaswerk Schott & Genossen in a contract relating to patents.

Under the authority of the Trading With the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Jenaer Glaswerk Schott & Genossen is a corporation organized under the laws of Germany and is therefore a national of a foreign country (Germany);

2. Finding that said Jenaer Glaswerk Schott & Genossen is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Jenaer Glaswerk Schott & Genossen by virtue of an agreement dated June 28, 1940 (including all modifications thereof and supplements thereto, if any) by and between the said Jenaer Glaswerk Schott & Genossen and Corning Glass Works, which agreement relates among other thing to United States Letters Patent Nos. 1,620,815; 1,8^7,126; 1,931,895 and 2,114,748,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12050; Filed, July 26, 1943; 1:31 p. m.]

[Vesting Order 1345]

INDUSTRIEELE MAATSCHAPPIJ ACTIVIT N. V.

Re: Interest of Industrieele Maatschappij Activit N. V. in a contract relating to patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Industrieele Maatschappij Activit N. V. is a corporation organized under the laws of The Netherlands and is therefore a national of a foreign country (The Netherlands);

2. Finding that said Industrieele Maatschappij Activit N. V. is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Industrieele Maatschappij Activit N. V. by virtue of an agreement dated November 6, 1939 (including all modifications thereof and supplements thereto, including, but without limitation, a modification dated January 30, 1940) by and between Industrieele Maatschappij Activit N. V. and Chemical Construction Corporation, which agreement relates among other things to United States Letters Patent Nos. 2,171,408; 2,177,910; 2,198,393, and 2,221,683,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (The Netherlands);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interests;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on April 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12051; Filed, July 26, 1943; 1:31 p. m.]

[Vesting Order 1346]

SOCIETA ITALIANA PIRELLI

Re: Interests of Societa Italiana Pirelli in a contract relating to United States Letters Patent No. 2,231,359.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Societa Italiana Pirelli is a corporation organized under the laws of Italy and, therefore, is a national of a foreign country (Italy);
2. Finding that said Societa Italiana Pirelli is the owner of the property described in subparagraph 3 hereof;
3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societa Italiana Pirelli by virtue of an agreement dated July 27, 1937 (including all modifications thereof and supplements thereto, if any) by and between The Goodyear Tire and Rubber Company and said Societa Italiana Pirelli, which agreement relates, among other things, to Patent No. 2,231,359.

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Italy);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and
5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12052; Filed, July 26, 1943; 1:31 p. m.]

[Vesting Order 1348]

ARTHUR WEISZ

Re: Interests of Arthur Weisz in a contract relating to United States Letters Patent No. 2,132,062.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Arthur Weisz is a resident of Czechoslovakia and therefore is a national of a foreign country (Czechoslovakia);
2. Finding that said Arthur Weisz is the owner of the property described in subparagraph 3 hereof;
3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Arthur Weisz by virtue of an agreement dated August 16, 1937 (including all modifications thereof and supplements thereto, including, but without limitation, letters modifying said agreement dated September 1, 1938, September 16, 1938 and October 3, 1938) by and between the said Arthur Weisz and Leon Feuer, which related among other things to Patent No. 2,132,062.

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Czechoslovakia);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and
5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12053; Filed, July 26, 1943; 1:31 p. m.]

[Vesting Order 1349]

PATENT APPLICATION OF ZOLTAN FOLDI AND ARPAD GERECS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Zoltan Foldi and Arpad Gerecs are both citizens and residents of Hungary and are therefore nationals of a foreign country (Hungary);
2. Finding that Zoltan Foldi and Arpad Gerecs are the owners of the property described in subparagraph 3 hereof;
3. Finding, therefore, that the patent application described as follows:

Serial No.	Date	Inventor	Title
468,152	12-7-42	Zoltan Foldi Arpad Geress	New acetals and a process for preparing them and methods for their utilization in hormone syntheses.

is property in which nationals of a foreign country (Hungary) have interests;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and
5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12054; Filed, July 26, 1943; 1:32 p. m.]

[Vesting Order 1453]

JEREMIAS H. LEDEBOER

Re: Interest of Jeremias H. Ledeboer in a contract relating to United States Patent No. 1,508,560.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Jeremias H. Ledeboer is a resident of The Netherlands, and is therefore a national of a foreign country (The Netherlands);

2. Finding that the property identified in subparagraph 3 hereof is property of Jeremias H. Ledeboer;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Jeremias H. Ledeboer by virtue of an agreement dated December 19, 1922 (including all modifications thereof and supplements thereto, if any) by and between Jeremias H. Ledeboer and Freyn Engineering Company, which agreement relates, among other things, to Patent No. 1,508,560,

is property payable or held with respect to a patent or right related thereto in which interests are held by, and such property constitutes interests held therein by, a national of a foreign country (The Netherlands);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12055; Filed, July 26, 1943; 1:32 p. m.]

[Vesting Order 1454]

PERMUTIT S. A., INDUSTRIEELE MAATSCHAPPIJ ACTIVIT & OCTROOIEN MAATSCHAPPIJ ACTIVIT

Re: Interests of Permutit S. A., Industrieele Maatschappij Activit and Octrooien Maatschappij Activit in contracts relating, to United States Patents Nos. 2,191,063 and 2,205,635.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Permutit (Luxembourg) S. A., is a corporation organized under the laws of Luxembourg and is therefore a national of a foreign country (Luxembourg);

2. Finding that Industrieele Maatschappij Activit and Octrooien Maatschappij Activit are business organizations organized under the laws of The Netherlands and are therefore nationals of a foreign country (The Netherlands);

3. Finding that the property described in subparagraph 5-a hereof is property of Permutit (Luxembourg) S. A.;

4. Finding that the property described in subparagraph 5-b hereof is property of Permutit (Luxembourg) S. A., Industrieele Maatschappij Activit and Octrooien Maatschappij Activit;

5. Finding that the property described as follows:

a. All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Permutit (Luxembourg) S. A., by virtue of an agreement dated April 30, 1936 (including all modifications thereof and supplements thereto, including, but without limitation, a supplement dated September 30, 1940) by and between said Permutit (Luxembourg) S. A. and The Permutit Company, which agreement relates among other things to United States Letters Patent Nos. 2,191,063 and 2,205,635.

b. All interests and rights created in Permutit (Luxembourg) S. A., Industrieele Maatschappij Activit and Octrooien Maatschappij Activit by virtue of an agreement dated April 30, 1936 (including all modifications thereof and supplements thereto, if any) by and between Permutit (Luxembourg) S. A., Industrieele Maatschappij Activit and Octrooien Maatschappij Activit, which agreement relates among other things to United States Letters Patent Nos. 2,191,063 and 2,205,635.

is properly payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Luxembourg and The Netherlands);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12056; Filed, July 26, 1943; 1:32 p. m.]

[Vesting Order 1455]

I. G. FARBENINDUSTRIE

Re: Patent No. 1,934,613, and interests of I. G. Farbenindustrie in contracts relating to patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. Finding that the property described as follows:

a. All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent No.	Date of issue	Inventors	Title
1,934,613	11-7-33	Bernhard Jacobi and H. Fikentscher	Production of Acrylic Esters from Chloropropionic Esters.

b. All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated October 26, 1934 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and Rohm & Haas Company, which agreement relates among other things to certain United States Letters Patent, including Patent No. 2,023,599,

c. All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated October 30, 1934 (including all modifications of and supplements to such agreement, including, but without limitation, a letter from Rohm & Haas Company to I. G. Farbenindustrie Aktiengesellschaft dated April 4, 1935 and a supplement dated May 16, 1940 and June 14, 1940) by and between I. G. Farbenindustrie Aktiengesellschaft and Rohm & Haas Company, which agreement relates among other things to certain United States Letters Patent, including Patent No. 1,851,040, and

d. All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated March 5, 1940 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and Carbide and Carbon Chemicals Corporation, which agreement relates among other things to certain United States Letters Patent, including Patent No. 2,047,398.

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12057; Filed, July 26, 1943; 1:33 p. m.]

[Vesting Order 1461]

PROFESSOR DR. STAUDINGER

Re: Interests of Professor Dr. Staudinger in an agreement with I. G. Farbenindustrie relating to U. S. Patent No. 2,089,444.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Professor Dr. Staudinger, whose last known address is Freiburg, Germany, is a resident of Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is property of Professor Dr. Staudinger;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Professor Dr. Studinger by virtue of a certain agreement (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and said Professor Dr. Staudinger by virtue of which agreement said Professor Dr. Staudinger acquired an exclusive license under United States Patent No. 2,089,444 with respect to the manufacture, use and sale of interpolymers of styrene with divinylbenzene, which are insoluble or only capable of swelling in organic solvents,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 14, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12058; Filed, July 26, 1943; 1:33 p. m.]

[Vesting Order 1462]

KARL IMHOFF

Re: Interests of Karl Imhoff in a contract with The Dorr Company, Inc., relating to Patent No. 1,700,722.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Karl Imhoff is a resident of Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is property of said Karl Imhoff;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Karl Imhoff by virtue of an agreement dated August 7, 1936 (including all modifications thereof and supplements thereto, if any) by and between Karl Imhoff and The Dorr Company, Inc., which agreement relates, among other things, to Patent No. 1,700,722,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 14, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12059; Filed, July 26, 1943; 1:33 p. m.]

[Vesting Order 1463]

GEORG HERMANN USBECK

Re: Interests of Georg Hermann Usbeck in a contract relating to Patent No. 1,974,760.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Georg Hermann Usbeck is a firm organized under the laws of Germany and having its principal place of business in Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is property of Georg Hermann Usbeck;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Georg Hermann Usbeck by virtue of an agreement dated June 17, 1938 (including all modifications thereof and supplements thereto, if any) by and between the said Georg Hermann Usbeck and William Bauroth, which agreement relates, among other things, to United States Letters Patent No. 1,974,760,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 14, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12060; Filed, July 26, 1943; 1:33 p. m.]

[Vesting Order 1464]

I. G. FARBININDUSTRIE AKTIENGESELLSCHAFT

Re: Interests of I. G. Farbenindustrie Aktiengesellschaft in a contract with E. I. duPont de Nemours & Company, relating to patent Number 2,230,000.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and therefore is a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated November 22, 1938 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and E. I. duPont de Nemours & Company, which agreement relates, among other things, to United States Letters Patent No. 2,230,000,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 14, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12061; Filed, July 26, 1943; 1:34 p. m.]

[Vesting Order 1465]

PATENT APPLICATION OF ALBERT PATIN

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Albert Patin is a citizen and resident of Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is the property of Albert Patin;

3. Finding, therefore, that the patent application described as follows:

Serial No.	Date	Inventor	Title
476,022	2-15-43	Albert Patin	Electric apparatus forming parts of indicating, measuring, regulating and steering systems.

is property of a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date thereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 14, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12062; Filed, July 26, 1943; 1:34 p. m.]

[Vesting Order 1496]

PATENT APPLICATION OF WERNER BAUMANN

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Werner Baumann is a resident of France and is therefore a national of a foreign country (France);

2. Finding that the property described in subparagraph 3 hereof is property of Werner Baumann;

3. Finding that the patent application identified as follows:

Serial No.	Filing date	Inventor	Title
280,779	6-23-39	W. Baumann	Combination of a light-extinguisher with a gun-mouth-brake.

together with the entire right, title and interest throughout the United States and its territories to, including the right to file applications in the United States Patent Office for, the invention or inventions shown or described in such application,

is property of a national of a foreign country (France);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 17, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12063; Filed, July 26, 1943; 1:34 p. m.]

[Vesting Order 1497]

EDGAR WILLIAM BRANDT

Re: Contract rights of Edgar William Brandt in Patent No. 1,730,800.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Edgar William Brandt is a resident of France and is therefore a national of a foreign country (France);

2. Finding that the property identified in subparagraph 3 hereof is property of Edgar William Brandt;

3. Finding that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Edgar William Brandt by virtue of an agreement dated August 10, 1932 (including all modifications thereof and supplements thereto, if any) by and between Edgar William Brandt and the United States of America, which agreement relates, among other things, to patent number 1,730,800,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by a national of a foreign country (France);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained

shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12064; Filed, July 26, 1943; 1:34 p. m.]

[Vesting Order 1508]

CARL ZEISS

Re: Undivided one-half interest of the firm of Carl Zeiss in Patent No. 1,655,386.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the Firm of Carl Zeiss, of Jena, Germany, is a business organization, organized under the laws of Germany, and is therefore a national of a foreign country (Germany);

2. Finding that the property described in subparagraph 3 hereof is property of the Firm of Carl Zeiss, of Jena, Germany;

3. Finding, therefore, that the property described as follows:

An undivided one-half (½) interest remaining in the Firm of Carl Zeiss, of Jena, Germany, after a transfer by said Firm of Carl Zeiss to Bausch and Lomb Optical Company, of Rochester, New York, a New York corporation, of an undivided one-half (½) interest by an assignment dated June 6, 1930, recorded in the assignment records of the United States Patent Office on July 30, 1930, in Liber B 145 at page 54, from said Firm of Carl Zeiss to said Bausch and Lomb Optical Company in and to the following patent:

Patent No.	Date	Inventor	Title
1,655,386	1-3-28	Robert Craig	Apparatus for measuring space dimensions of objects.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, to which the owner of such interest is entitled.

is property of, and is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12065; Filed, July 26, 1943; 1:35 p. m.]

[Vesting Order 1509]

ZEISS-AEROTOPOGRAPH, G. M. B. H.

Re: Interests of Zeiss-Aerotopograph, G. m. b. H., in an agreement relating among other things to Patent No. 1,980,-657.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the firm of Zeiss-Aerotopograph, G. m. b. H., of Jena, Germany, is a corporation organized under the laws of Germany and is therefore a national of a foreign country (Germany);

2. Finding that the property described in subparagraph 3 hereof is property of Zeiss-Aerotopograph, G. m. b. H., of Jena, Germany;

3. Finding, therefore, that the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Zeiss-Aerotopograph, G. m. b. H., of Jena, Germany, by virtue of an agreement dated August 4 and September 16, 1937 (including all modifications thereof and supplements thereto, if any) by and between said Zeiss-Aerotopograph, G. m. b. H., and Bausch and Lomb Optical Company, a New York corporation, which agreement relates, among other things, to United States Letters Patent No. 1,980,657.

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12066; Filed, July 26, 1943; 1:35 p. m.]

[Vesting Order 1511]

PATENTS AND CONTRACTUAL INTERESTS OF CERTAIN FOREIGN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the following named persons, whose addresses are listed opposite their respective names, if business organizations, are organized under the laws of, and, if individuals, are residents of, France, and are therefore nationals of a foreign country (France):

Societe Anoyme des Manufactures de Glaces et Produits Chimiques de St. Gobain, Chauny & Cirey, Lyon, France.

Compagnies Reunis des Glaces & Verres Speciaux du Nord de la France, Boussois-sur-Sambre, Nord, France.

Raymond Meer, Paris, France.

2. Finding that the interests and rights in the contracts identified in subparagraph 5-a hereof and the patent identified in subparagraph 5-b hereof are property of Societe Anonyme des Manufactures de Glaces et

Produits Chimiques de St. Gobain, Chauny & Cirey;

3. Finding that the interests and rights in the contracts identified in subparagraph 5-c hereof are property of Compagnies Reunis des Glaces & Verres Speciaux du Nord de la France;

4. Finding that the interests and rights in the contract identified in subparagraph 5-d hereof are property of Raymond Meer;

5. Finding, therefore, that the property described as follows:

a. All interests and rights (including all accrued royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Societe Anonyme des Manufactures de Glaces et Produits Chimiques de St. Gobain, Chauny & Cirey, Lyon, France, by virtue of (1) an agreement as to patent rights and (2) an agreement as to importation, both dated June 1, 1933 (including all modifications thereof and supplements thereto, if any) by and between the said Societe Anonyme des Manufactures de Glaces et Produits Chimiques de St. Gobain, Chauny & Cirey and The American Security Company, a corporation organized under the laws of the State of Delaware, including but not by way of limitation, any and all understandings between the parties, whether written or oral, with respect to the subject matter thereof,

b. All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to United States Letters Patent No. 2,250,628, granted July 29, 1941, to Societe Anonyme des Manufactures de Glaces et Produits Chimiques de St. Gobain, Chauny & Cirey, on an application filed September 16, 1936, by Lewis Jex-Blake Forbes,

c. All interests and rights (including all accrued royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Compagnies Reunis des Glaces & Verres Speciaux du Nord de la France, Boussois-sur-Sambre, Nord, France, by virtue of (1) an agreement as to patent rights and (2) an agreement as to importation, both dated June 1, 1933 (including all modifications thereof and supplements thereto, if any) by and between the said Compagnies Reunis des Glaces & Verres Speciaux du Nord de la France, and The American Security Company a corporation organized under the laws of the State of Delaware, including but not by way of limitation, any and all understandings between the parties whether written or oral, with respect to the subject matter thereof,

d. All interests and rights (including all accrued royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Raymond Meer, Paris, France, by virtue of an agreement dated June 1, 1937 (including all modifications thereof and supplements thereto, if any) by and between the said Raymond Meer, and The American Securit Company, a corporation organized under the laws of the State of Delaware, including but not by way of limitation, any and all understandings between the parties, whether written or oral, with respect to the subject matter thereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (France);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-12067; Filed, July 26, 1943; 1:35 p. m.]

[Vesting Order 1512]

ABANDONED PATENT APPLICATION OF NATIONALS OF ENEMY COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each of the persons to whom reference is made in the column headed "owner" in Exhibit A attached hereto and made a part hereof, if an individual, is a citizen and resident of, or, if a business organization, is organized under the laws of and has its principal place of business in the country represented by the code number set forth after its respective name in said Exhibit A under the heading "Nat" in accordance with the following:

Austria	6
Germany	28
Hungary	34
Italy	38
Japan	39

2. Finding, therefore, that such persons are nationals of the foreign countries represented by the code numbers set forth in said Exhibit A after their respective names in accordance with the aforesaid code;

3. Finding that the patent applications and other property relating thereto described in subparagraph 4 hereof are property of the persons whose names appear opposite the respective numbers thereof in said Exhibit A;

4. Finding, therefore, that the property described as follows:

Patent applications identified in Exhibit A attached hereto and made a part hereof, together with the entire right, title and interest throughout the United States and its territories in and to, including the right to file applications in the United States Patent Office for Letters Patent for, the invention or inventions shown or described in such applications,

is property of nationals of foreign countries (Austria, Germany, Italy, and Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act, or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications identified as follows:

SERIES OF 1925

Serial No.	Date	Owner	Inventor	Title	Nat.
619,615	6/27/32	Bohme Fettchemie G. m. b. H.	H. Hunsdiecker et al.	Wetting agent	28

SERIES OF 1935

Serial No.	Date	Owner	Inventor	Title	Nat.
6,559	2/14/35	Rudolf von Frommer	R. von Frommer	Stock mounting arrangements for small arms.	34
59,175	1/15/36	Oskar Hacker	O. Hacker	Armoured motor vehicles	28
80,072	5/16/36	Georg Pfleiderer	G. Pfleiderer	Process of producing alkali metal peroxides.	28
96,249	8/15/36	Pharmakon Gesellschaft fur Chemie und Pharmazeutik m. b. H.	J. Eringer	Method for the manufacture of synthetic caoutchouc and isoprene-like products from vinyl halides.	28
101,883	9/21/36	Wilhelm Kochmann	W. Kochmann	Devices for generating pressure gas.	28
145,957	6/2/37	Valentin Anton Petkovio	V. Petkovio	Projectiles	28
148,365	6/15/37	Hans-Heinrich Reckeweg	H. Reckeweg	Shot cartridges	28
152,775	7/9/37	Siemens Apparate Und Maschinen G. m. b. H.	E. Blattmann	Gun mounts employed particularly in connection with aircraft.	28
156,092	7/28/37	Martin Mueller-Cunradi and Adolf Cantzler.	M. Mueller-Cunradi et al.	Process of producing butadiene	28
157,421	8/4/37	Mauser-Werke A. G.	A. Seidel	Fire arms	28
163,806	9/14/37	Paul Heisel	P. Heisel	Diterpene and a process of preparing it.	28
164,502	9/18/37	Hans Baehr and Wilhelm Deiters.	H. Baehr et al.	Production of unsaturated compounds.	28
164,963	9/21/37	Giuseppe Riva Rocci	G. Rocci	Cartridges	38
168,838	10/13/37	Herbert Steinfeld	H. Steinfeld	Advertising material	28
169,040	10/14/37	Helmut Junghans	H. Junghans	Percussion fuses	28
173,116	11/6/37	Hans-Joachim Riedl, Geirg Ofkeuderer and Helmut Tanneberger.	H. Riedl et al.	Production of butadiene	28
173,616	11/9/37	Walter Bernot and Otto Wulff.	W. Bernot et al.	Process of hydrogenating monovinylacetylene.	28
176,341	11/24/37	Westfalisch-Anhaltische Sprengstaff-A G Chemische Fabriken.	W. Kessen	Explosive charges	28
186,697	1/24/38	Consortium Fur Elektrochemische et al. Industrie G. m. b. H.	P. Halbig	Process for producing Butandiol (1,3).	28
189,457	2/8/38	Mechanische Weberei Altstadt G. m. b. H.	A. Hurten	Devices for cleaning the barrels of fire arms.	28
189,918	2/11/38	Minoru Miyauchi and Saburo Kiyomiya.	M. Miyauchi et al.	Trigger apparatus for rifles, air guns and other kinds of firearms.	39
190,095	2/11/38	Rheinmetall-Borsig A. G.	W. Rosmanith	Magazine for automatic guns	28
192,417	2/24/38	Fernando Aragona Pignatelli.	F. Pignatelli	Torpedoes	38
193,290	3/1/38	Richard Michel	R. Michel	Process for the manufacture of condensation products of polyolefines and aromatic compounds.	28
200,369	4/6/38	Siemens Apparate und Maschinen G. m. b. H.	E. Blattmann	Gun mount for aircraft	38
202,228	4/15/38	August Chwala	A. Chwala	Wetting, dispersing and levelling agents.	6
209,249	5/21/38	Fritz Walther	F. Walther	Automatic loading rifle with knee joint breech.	28
218,395	7/9/38	Gustav Genschow & Co A. G.	H. Vollmer	Automatic firearms	28
230,699	9/19/38	Aldo Bevacqua	A. Bevacqua	Lighting bomb or projectile	38
230,700	9/19/38	Aldo Bevacqua	A. Bevacqua	Explosive projectile	38
234,271	10/10/38	Curt Von Leipzig	C. Leipzig	Aircraft guns	28
235,850	10/19/38	Josef Meissner	J. Meissner	Manufacture of lead and silver azides, and lead trinitro-resorcinate.	28
235,880	10/19/38	Rheinmetall-Borsig A. G.	B. Knaebel	Solid projectile, especially suitable for weapons used by infantry and to a process for its manufacture.	28
237,418	10/28/38	Saburo Kiyomiya	S. Kiyomiya	Trigger apparatus for rifles, air guns and all other kinds of firearms.	39
239,125	11/5/38	Luigi Calzavara	L. Calzavara	Protective structure against artillery shells.	38
243,221	11/30/38	Societa Italiana Breda per Costruzioni Meccaniche.	Ernesto G. Crocco	Bomb release device for airplanes.	38

SERIES OF 1935—Continued

Serial No.	Date	Owner	Inventor	Title	Nat.
245,672	12/14/38	Helmut Jacobi and Walter Flemming.	H. Jacobi et al.	Monochlorhydrin mononitrate and process of producing same.	28
247,026	12/21/38	Wilhelm Friedrichsen and Georg Stern.	W. Friedrichsen et al.	Method of halogenating organic compounds in the liquid phase.	28
247,965	12/27/38	Emil Leussler	E. Leussler	Closure for hollow bodies	28
248,204	12/29/38	Helmut Jacobi and Walter Flemming.	H. Jacobi et al.	Production of nitric acid esters of glycerine.	28
251,694	1/19/39	Silesia Veerin Chemischer Fabriken.	W. Frost et al.	Elastic coating and process for producing the same.	28
251,840	1/19/39	Hans Liberra	H. Liberra	Silencer for firearms and the like.	28
253,121	1/27/39	Louis Blumer	R. Sandig	Resinous substances	28
253,351	1/28/39	Walter Gumlich	W. Gumlich	Polymerization products of vinyl pyridine.	28
256,774	2/16/39	Silesia Verein Chemischer Fabriken.	W. Frost et al.	Method of producing molding powders.	28
257,865	2/23/39	Aeroplani Caproni S A	E. Lanciani	Device for coupling machine guns and the like.	38
260,206	3/ 6/39	Rheinmetall-Borsig A. G.	K. Winzer	Percussion fuses	28
262,187	3/16/39	Fritz Walther	F. Walther	Automatic hand fire arms	28
265,760	4/ 3/39	Ferdinand Munz and Otto Trosken.	F. Munz et al.	Wetting agents	28
270,073	4/26/39	Umberto Toldi	U. Toldi	Bomb-guns and bomb equipments.	38
285,809	7/21/39	Giulio Sosso	G. Sosso	Cartridge feeding mechanism	38
285,987	7/22/39	Fides Gesellschaft fur die Verwaltung und Verwertung von gewerblichen Schutzrechten m. b. H.	W. Mertens	Method of producing Low-Polymeric Polystyrols.	28
287,125	7/28/39	Herbert Vohrer	H. Vohrer	Fuel and oil proof elastic machine parts.	28
287,900	8/ 2/39	Ludwig Orthner and Werner Langbein.	L. Orthner et al.	Beta-halogenethyl ethers and a process of preparing them.	28
293,707	9/7/39	Yoshikata Ushio	Y. Ushio	Process for manufacturing activated carbon.	39
306,500	11/28/39	Silesia Verein chemischer Fabriken.	G. Kallner et al.	Process and composition for protecting materials.	28
308,402	12/9/39	Fahlberg-List A. G. Chemische Fabriken and Hermann Schubert.	K. Memminger et al.	Process for improving textiles	28
309,090	12/13/39	Roberto Antona Traversi and Giovanni Pegna.	R. Traversi et al.	Fire gun	38
326,769	3/29/40	Giuseppe Andrea Prosdocimi.	G. Prosdocimi	Streamlined projectile with provisional cylindri- base to be abandoned after firing.	38
327,584	4/3/40	Dynamit A. G. vormals Alfred Nobel & Co.	H. Menke	Electric detonators	28
363,546	10/30/40	Emil Leussler and Hans Stadler.	E. Leussler et al.	Cartridges	28
363,754	10/31/40	Amati-Pietro	A. Pietro	Waggon to be turned into a platform for centers of artillery fire.	38
391,091	4/30/41	Angiolo Treves	E. Bemelmans	Processes of reclaiming vulcanised rubber.	38
393,696	5/16/41	Dr ing h. c. F. Porsche K. G.	O. Zadink	End connector for dynamo-electric machines.	28

[F. R. Doc. 43-12068; Filed, July 26, 1943; 1:35 p. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 3, Revised-46]

FOGARTY BROTHERS TRANSFER, INC., AND ST. JOHNS RIVER LINE CO.

COORDINATED OPERATIONS BETWEEN TAMPA AND SARASOTA, FLORIDA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Fogarty Brothers Transfer, Inc., Bradenton, Florida, and St. Johns River Line Co., Jacksonville, Florida, pursuant to § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660), a copy of which plan is attached hereto as Appendix 1,[1] and

It appearing that the carriers propose by the plan to coordinate their operations as common carriers of property by

[1] Filed as part of the original document.

motor vehicle between Tampa and Sarasota, Florida, and intermediate and off-route points, by suspending the transportation of certain shipments and by diverting traffic in such way as to produce increased lading and more efficient utilization of motor vehicles, and

It further appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Shipments diverted in execution of the plan shall be transported pursuant to the lawfully applicable rates, charges, rules, and regulations of the diverting carrier.

4. The provisions of this order shall not be so construed or applied as to require either carrier named herein to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier named herein, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-46," and unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective July 31, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 27th day of July 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-12099; Filed, July 27, 1943; 10:55 a. m.]

[Supplementary Order ODT 3, Revised-47]

GEORGIA MOTOR EXPRESS, INC., AND MERCURY EXPRESS, INC.

COORDINATED OPERATIONS BETWEEN POINTS IN ALABAMA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Georgia Motor Express, Inc., Atlanta, Georgia, and Mercury Express, Inc., Birmingham, Alabama, pursuant to § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660), a copy of which plan is attached hereto as Appendix 1,[1] and

It appearing that the carriers propose by the plan to coordinate their operations as common carriers of property by motor vehicle between points in Alabama, by suspending the transportation of certain shipments and by diverting traffic in such way as to produce increased lading and more efficient utilization of motor vehicles, and

It further appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Shipments diverted in execution of the plan shall be transported pursuant to the lawfully applicable rates, charges, rules, and regulations of the diverting carrier.

4. The provisions of this order shall not be so construed or applied as to require either carrier named herein to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier named herein, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-47" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

8. This order shall become effective July 31, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 27th day of July 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-12100; Filed, July 27, 1943; 10:55 a. m.]

[1] Filed as part of the original document.

[Supplementary Order ODT 20A-2]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN THE GRENADA, MISSISSIPPI AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20 A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of and between Grenada and Camp McCain, Mississippi, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Local Transport, Office of Defense Transportation, Atlanta, Georgia, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-2" and, unless otherwise directed, should be addressed to the Division of Local Transport, Office of Defense Transportation, Atlanta, Georgia.

8. This order shall become effective July 31, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 27th day of July 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

APPENDIX 1

Day & Night Taxi Station, Grenada, Mississippi.
Wallace Cain, Grenada, Mississippi.
Joe Eddie Weathers, Grenada, Mississippi.
Revell Gause, Grenada, Mississippi.

[F. R. Doc. 43-12101; Filed, July 27, 1943; 10:55 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under MPR 320]

MANUFACTURERS OF JAMES SWEET POTATO CRATES

ADJUSTABLE PRICING

Order No. 1 under Maximum Price Regulation No. 320—Eastern and Central Wooden Agricultural Containers.

Petition has been filed for amendment of Maximum Price Regulation No. 320, Eastern and Central Wooden Agricultural Containers, with respect to James sweet potato crates. It has been shown that authorization to use adjustable pricing, pending action on the petition, is necessary to promote production and distribution of the commodity involved and that the granting of such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and No. 9328 and in accordance with § 1377.210 (c), *It is ordered:*

(a) Producers in the area covered by Maximum Price Regulation No. 320 may sell and deliver and any person may buy and receive James sweet potato crates at prices adjustable to those established by the Office of Price Administration.

(b) Any charges made or collected in excess of the price established must be refunded within 30 days from the effective date of the establishment of such price. If the establishment of such price is denied, any charges made or collected in excess of the present ceiling price must be refunded within 30 days from the date of denial.

(c) This order shall be automatically revoked upon the establishment or denial of such price.

This order shall become effective July 27, 1943.

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12094; Filed, July 27, 1943; 9:14 a. m.]

[Order 2 Under MPR 320]

MANUFACTURERS OF BRUCE BOX CLEATS

ADJUSTABLE PRICING

Order No. 2 under Maximum Price Regulation No. 320—Eastern and Central Wooden Agricultural Containers.

Petition has been filed for amendment of Maximum Price Regulation No. 320, Eastern and Central Wooden Agricultural Containers, with respect to Bruce box cleats. It has been shown that authorization to use adjustable pricing, pending action on the petition, is necessary to promote production and distribution of the commodity involved and that the granting of such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and No. 9328 and in acordance with § 1377.210 (c), *It is ordered:*

(a) Producers in the area covered by Maximum Price Regulation No. 320 may sell and deliver and any person may buy and receive Bruce box cleats at prices adjustable to those established by the Office of Price Administration.

(b) Any charges made or collected in excess of the price established must be refunded within 30 days from the effective date of the establishment of such price. If the establishment of such price is denied, any charges made or collected in excess of the present ceiling price must be refunded within 30 days from the date of denial.

(c) This order shall be automatically revoked upon the establishment or denial of such price.

This order shall become effective July 27, 1943.

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12095; Filed, July 27, 1943; 9:14 a. m.]

[Order 3 under MPR 320]

MANUFACTURERS OF CITRUS FIELD BOXES

ADJUSTABLE PRICING

Order No. 3 under Maximum Price Regulation No. 320—Eastern and Central Wooden Agricultural Containers.

Petition has been filed for amendment of Maximum Price Regulation No. 320, Eastern and Central Wooden Agricultural Containers, with respect to citrus field boxes. It has been shown that authorization to use adjustable pricing, pending action on the petition, is necessary to promote production and distribution of the commodity involved and that the granting of such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328 and in accordance with § 1377.-210 (c), *It is ordered:*

(a) Producers may sell and deliver and any person may buy and receive citrus field boxes at prices adjustable to those established by the Office of Price Administration.

(b) Any charges made or collected in excess of the price established must be refunded within 30 days from the effective date of the establishment of such price. If the establishment of such price is denied, any charges made or collected in excess of the present ceiling price must be refunded within 30 days from the date of denial.

(c) This order shall be automatically revoked upon the establishment or denial of such price.

This order shall become effective July 27, 1943.

Issued this 26th day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12096; Filed, July 27, 1943; 9:14 a. m.]

LIST OF INDIVIDUAL ORDERS, GRANTING ADJUSTMENT, ETC., UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on July 24, 1943.

Order Number and Name

MPR 33, Order 5, Callaway Mills.
MPR 33, Order 6, Thomaston Mills.
MPR 33, Order 7, Avondale Mills.
MPR 33, Order 8, Bemis Brother Bag Co.
RPS 57, Order 38, Philadelphia Carpet Co.
MPR 136, as amended, Order 36, Amendment 1, Carolina Tractor & Equipment Co.
MPR 188, Order 379, Amendment 1, National Pressure Cooker Co. et al.
MPR 188, Order 517, Purse & Company.
MPR 225, Order 11, University Press, Inc.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,
Head, Editorial and Reference Section.

[F. R. Doc. 43-10297; Filed, July 27, 1943; 9:17 a. m.]

Regional, State and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS UNDER GENERAL ORDER 51

The following orders under General Order 51 were filed with the Division of the Federal Register on July 23, 1943.

REGION V

Tulsa Order 3, Amendment 2, Filed 10:22 a. m.
Dallas Order 4, Filed 10:09 a. m.
Kansas City Order 4, Filed 10:24 a. m.
Kansas City Order 4, Amendment 1, Filed 10:22 a. m.
New Orleans Order 6, Filed 10:12 a. m.
New Orleans Order 8, Filed 10:12 a. m.
Arkansas Order 3, Amendment 2, Filed 10:22 a. m.
Arkansas Order 4, Filed 10:19 a. m.
Arkansas Order 5, Filed 10:19 a. m.
Houston Order 5, Filed 10:09 a. m.
Houston Order 6, Filed 10:24 a. m.
Lubbock Order 4, Filed 10:07 a. m.
Lubbock Order 5, Filed 10:07 a. m.
Fort Worth Order 4, Filed 10:05 a. m.
Fort Worth Order 5, Filed 10:39 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Head, Editorial and Reference Section.

[F. R. Doc. 43-12069; Filed, July 26, 1943; 2:51 p. m.]

[Region VI Order G-1 under SR. 14]

FLUID MILK IN MINOT, NORTH DAKOTA

Order No. G-1 under Supplementary Regulation No. 14 to the General Maximum Price Regulation. Adjustment of fluid milk prices in Minot, North Dakota. (Formerly Order No. 1).

The Regional Administrator has determined on his own motion after investigation that the price paid to producers of butter fat in the milk shed serving Minot, North Dakota by manufacturers of butter, cheese, condensed and evaporated milk, and milk powder has increased from an average of 36¢ per lb. in March 1942 to 48¢ per lb. on October 2, 1942; that distributors of fluid milk in the City of Minot, North Dakota, a city with a population of less than 100,000, are now paying or will shortly have to pay producers of such milk in excess of 41¢ more per cwt. than they did in March 1942; and that distributors, notwithstanding any savings which can be effected in distribution costs, cannot fairly be expected to distribute fluid milk in Minot at the maximum prices established by § 1499.2 of the General Maximum Price Regulation.

For the reasons more fully set forth in the accompanying opinion, Pursuant to the Emergency Price Control Act of 1942 and § 1499.73 (a) (1) (iv) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, *It is ordered:*

1. Subject to the limitations in paragraph (2) hereof the maximum prices established for sellers of milk including chocolate milk and Bulgarian buttermilk at wholesale and retail by § 1499.2 of the General Maximum Price Regulation are hereby increased as follows:

	Quart	Pint	½ pint
Wholesale (cents)	1.0	0.5	0.25
Retail (cents)	1.0	.5	None

2. No distributor shall sell or deliver any milk at the increased prices provided for under section 1 hereof until and unless the following requirements have been met:

(a) With respect to a distributor who buys directly from a producer, until and unless he shall have purchased or contracted to purchase fluid milk from a producer at a price of 41¢ or more per cwt. in excess of the highest price paid in March 1942, and shall have reported such fact to the North Dakota State Office of the Office of Price Administration or a duly authorized representative thereof.

(b) With respect to a seller at retail purchasing milk from a distributor at wholesale until and unless he shall have purchased or contracted to purchase milk at a price increase. In no event shall the maximum price of such a seller at retail be increased by more than the highest increase in cost to himself.

3. Every person selling milk in bottles or paper containers to a seller at retail shall furnish to each such purchaser of milk a statement which may be substantially in the following form:

The prices for milk have been increased in the amounts indicated below pursuant to Order No. G-1, under Amendment No. 34 to Supplementary Regulation No. 14 issued by the Office of Price Administration. You are permitted to increase your prices by the same amount.

	Price increase
Quart	------
Pint	------

4. The foregoing order shall apply to all sales and deliveries of fluid milk including chocolate milk and Bulgarian buttermilk at wholesale and retail within the city limits of Minot and within a distance of three miles from the city limits thereof.

5. All sellers of milk who purchase milk directly from the producers thereof shall in addition to the statement provided for in section 2 (a) above, file with the North Dakota State Office of the Office of Price Administration a statement on the 10th day of each month beginning with November 1942 of the prices paid by them to producers of milk for all milk purchased during the preceding month.

6. This order shall be effective from the date hereof. It is subject to revocation or amendment by the Regional Administrator at any time hereafter upon a finding that butter fat prices have decreased to the point where no diversion of fluid milk is threatened or for other reasons. This order is further subject to revocation by any Price Regulation issued hereafter, or by any supplement or amendment hereafter issued as to any Price Regulation the provisions of which may be contrary hereto.

JOHN C. WEIGEL,
Regional Administrator.

OCTOBER 6, 1942.

[F. R. Doc. 43-12070; Filed, July 26, 1943; 2:48 p. m.]

[Region VI Order G-2 Under SR 14]

FLUID MILK IN RAPID CITY, SOUTH DAKOTA

Order No. G-2 under Supplementary Regulation No. 14 to the General Maximum Price Regulation. Adjustment of fluid milk prices in Rapid City, South Dakota. (Formerly Order No. 2.)

The Regional Administrator has determined on his own motion after investigation that (1) the price paid to producers by manufacturers of butter, cheese, condensed and evaporated milk, or milk powder for milk produced within the milk shed on which Rapid City, South Dakota depends for its supply of fluid milk has increased 41¢ or more per cwt. since March 1942; (2) distributors of fluid milk in said locality of Rapid City, South Dakota, which is a city of less than 100,000, in order to obtain the supply of milk for fluid use necessary to satisfy the normal requirements of the locality, are paying producers of such milk at least 41¢ more per cwt. than they paid in March 1942, and (3) notwithstanding the savings that have been effected or which may be effected as the result of the adoption of all practicable measures designed to reduce distribution costs, such distributors cannot fairly be expected to continue to distribute fluid milk in the locality hereinafter designated at the maximum prices established for them under § 1499.2 of the General Maximum Price Regulation.

For the reasons more fully set forth in the accompanying opinion and pursuant to the Emergency Price Control Act of 1942 and § 1499.73 (a) (1) (iv) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, *It is ordered:*

1. Subject to the limitations in paragraph 2 hereof the maximum prices established for sellers of milk including chocolate milk and buttermilk at wholesale and retail by § 1499.2 of the General Maximum Price Regulation are hereby increased as follows:

	Gallon	Quart	Pint	½ pint
Wholesale (cents)	4.0	1.0	0.5	0.25
Retail (cents)	4.0	1.0	.5	None

2. No distributor shall sell or deliver any milk at the increased prices provided for under section 1 hereof until and unless the following requirements have been met:

(a) With respect to a distributor who buys directly from a producer, until and unless he shall have purchased or contracted to purchase fluid milk from a producer at a price of 41¢ or more per cwt. in excess of the highest price paid in March 1942, and shall have reported such fact to the South Dakota State Office of the Office of Price Administration or a duly authorized representative thereof.

(b) With respect to a seller at retail purchasing milk from a distributor at wholesale until and unless he shall have purchased or contracted to purchase milk at a price increase. In no event shall the maximum price of such a seller at retail be increased by more than the highest increase in cost to himself.

3. Every person selling milk in bottles or paper containers to a seller at retail shall furnish to each such purchaser of milk a statement which may be substantially in the following form:

The prices for milk have been increased in the amounts indicated below pursuant to Order No. G-2, under Amendment No. 34 to Supplementary Regulation No. 14 issued by the Office of Price Administration. You are permitted to increase your prices by the same amount.

	Price increase
Quart	------
Pint	------

4. The foregoing order shall apply to all sales and deliveries of fluid milk including chocolate milk and buttermilk, at wholesale and retail within the city limits of Rapid City and within a distance of six miles from the city limits thereof and in addition to all sales of fluid milk to the Rapid City Army Air Base.

5. All sellers of milk who purchase milk directly from the producers thereof shall in addition to the statement provided for in section (2) (a) above, file with the South Dakota State Office of the Office of Price Administration a statement on the 10th day of each month beginning with November 1942 of the prices paid by them to producers of milk for all milk purchased during the preceding month.

6. This order shall be effective from the date hereof. It is subject to revocation or amendment by the Regional Administrator at any time hereafter upon a finding that butter fat prices have decreased to the point where no diversion of fluid milk is threatened or for other reasons. This order is further subject to revocation by any Price Regulation issued hereafter, or by any supplement or amendment hereafter issued as to any Price Regulation the provisions of which may be contrary hereto.

JOHN C. WEIGEL,
Regional Administrator.

OCTOBER 7, 1942.

[F. R. Doc. 43-12072; Filed, July 26, 1943; 2:48 p. m.]

[Region VI Order G-3 Under SR 14]

ADJUSTMENT OF FLUID MILK PRICES IN ROWAN, IOWA

Order No. G-3 under Supplementary Regulation No. 14 to the General Maximum Price Regulation. Adjustment of fluid milk prices in Rowan, Iowa. (Formerly Order No. 3.)

The Regional Administrator has determined on his own motion after investigation that (1) the use of March 1942 as the base period for the establishment of maximum prices for fluid milk in Rowan, Iowa, a city of less than 100,000 population, has established an abnormal differential between the prices charged for fluid milk in Rowan and adjoining cities of approximately the same population; (2) that this abnormal differential has caused a diversion of a material portion of the normal milk supply of Rowan, Iowa, from Rowan to other adjoining cities, and that a further diversion is threatened; and (3) as the result of such diversion and threatened diversion, a shortage of fluid milk in Rowan exists and a further shortage is imminent.

Accordingly, for the reasons more fully set forth in the accompanying opinion, and pursuant to the Emergency Price Control Act of 1942 and § 1499.73 (a) (1) (iv) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, *It is ordered:*

1. Subject to the limitations in paragraph 2 hereof, the maximum prices established for sellers of milk at wholesale and retail by § 1499.2 of the General Maximum Price Regulation are hereby increased as follows:

	Gallon	Quart	Pint	½ pint
Wholesale (cents)	4.0	1.0	0.5	0.25
Retail (cents)	4.0	1.0	.5	None

2. Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller at wholesale must multiply such fractional per unit figure by the number of units in each sale. The seller at retail, however, will adjust unit figures containing a fraction of a cent to the next highest half cent; for example, a maximum price of 12½ cents for one unit would be adjusted to 13 cents for one unit, 25 cents for two units, etc.

3. Every person selling milk in bottles or paper containers to a seller at retail shall furnish to each such purchaser a statement substantially in the following form:

The prices for milk have been increased in the amount indicated below by order issued by the Office of Price Administration. You are permitted to increase your prices by the same amount.

	Price increase
Gallon	------
Quart	------
Pint	------

4. For the purposes of this order, the sale of milk at retail shall mean any sale of fluid milk to an ultimate consumer of such milk other than an industrial or commercial user.

5. A sale at wholesale shall refer to any sale of fluid milk or cream in bottles or paper containers, whether by a producer, pasteurizer or other person, to any person, including a commercial and industrial user, other than an ultimate consumer.

6. This order shall be effective from the date hereof. It is subject to revocation or amendment by the Regional Administrator at any time hereafter upon a finding that the prevailing prices for fluid milk in cities adjoining Rowan shall have decrease, or for other reasons. This order is further subject to revocation by any Price Regulation issued hereafter, or by any supplement or amendment hereafter issued as to any

Price Regulation the provisions of which may be contrary hereto.

7. This order shall apply to all sales and deliveries of fluid milk at wholesale and retail within the city of Rowan, Iowa, and within a distance of one mile from the City Limits thereof.

8. Milk shall mean cow's milk produced, processed, distributed and sold for consumption in fluid form as whole milk.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of October, 1942.

JOHN C. WEIGEL,
Regional Administrator.

[F. R. Doc. 43-12074; Filed, July 26, 1943; 2:47 p. m.]

[Region VI Order G-4 Under SR. 14]

FLUID MILK IN CONRAD, IOWA

Order No. G-4 under Supplementary Regulation No. 14 to the General Maximum Price Regulation. Adjustment of fluid milk prices in Conrad, Iowa. (Formerly Order No. 4).

The Regional Administrator has determined on his own motion, after investigation, that the price paid to milk producers in Conrad, Iowa, by manufacturers of butter, cheese, condensed and evaporated milk, and milk powder has increased more than 41 cents per cwt. since March 1942; that distributors of fluid milk in the city of Conrad, Iowa, a city with a population of less than 100,000, are now paying or will shortly have to pay producers of such milk in excess of 41 cents more per cwt. than they did in March 1942; and that distributors, notwithstanding any savings which can be effected in distribution costs, cannot fairly be expected to distribute fluid milk in Conrad at the maximum prices established by § 1499.2 of the General Maximum Price Regulation.

For the reasons more fully set forth in the accompanying opinion, pursuant to the Emergency Price Control Act of 1942 and § 1499.73 (a) (1) (vi) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, *It is ordered:*

1. The maximum prices established for sellers of milk at wholesale and retail by § 1499.2 of the General Maximum Price Regulation are hereby increased as follows:

	Quart	Pint	Half pint
Wholesale (cents)	1.0	0.5	0.25
Retail (cents)	1.0	.5	None

2. The foregoing order shall apply to all sales and deliveries of fluid milk at wholesale and retail within the city limits of Conrad and within a distance of three miles from the city limits thereof.

3. All sellers of milk who purchase milk directly from the producers thereof shall file, with the Iowa State Office of the Office of Price Administration, a statement on the 10th day of each month, beginning with December 1942, of the prices paid by them to producers of milk for all milk purchased during the preceding month.

4. This order shall be effective from the date hereof. It is subject to revocation or amendment by the Regional Administrator at any time hereafter upon a finding that butter fat prices have decreased to the point where no diversion of fluid milk is threatened or for other reasons. This order is further subject to revocation by any price regulation issued hereafter, or by any supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of October 1942.

JOHN C. WEIGEL,
Regional Administrator.

[F. R. Doc. 43-12075; Filed, July 26, 1943; 2:50 p. m.]

[Region VI Order G-5 Under SR 14]

FLUID MILK IN EAU CLAIRE AND CHIPPEWA FALLS, WISCONSIN

Order No. G-5 under Supplementary Regulation No. 14 to the General Maximum Price Regulation. Adjustment of fluid milk prices in Eau Claire and Chippewa Falls, Wisconsin. (Formerly Order No. 5).

The Regional Administrator has determined on his own motion after investigation that (1) the price paid to producers by manufacturers of butter, cheese, condensed and evaporated milk, or milk powder for milk produced within the milk shed on which Eau Claire and Chippewa Falls, Wisconsin depend for their supply of fluid milk has increased 41¢ or more per cwt. since March 1942; (2) distributors of fluid milk in said locality, which has a population of less than 100,000, in order to obtain the supply of milk for fluid use necessary to satisfy the normal requirements of the locality, are paying producers of such milk at least 41¢ more per cwt. than they paid in March 1942, and (3) notwithstanding the savings that have been effected or which may be effected as the result of the adoption of all practicable measures designed to reduce distribution costs, such distributors cannot fairly be expected to continue to distribute fluid milk in the locality hereinafter designated at the maximum prices established for them under § 1499.2 of the General Maximum Price Regulation.

Accordingly, for the reasons more fully set forth in the accompanying opinion and pursuant to Emergency Price Control Act of 1942, and § 1499.73 (a) (1) (vi) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, *It is ordered:*

1. Subject to the limitations in paragraph 2 hereof of the maximum prices established for sellers of milk at wholesale and retail by § 1499.2 of the General Maximum Price Regulation are herein increased as follows:

	Gallon	Quart	Pint	½ pint
Wholesale (cents)	4.0	1.0	0.5	0.25
Retail (cents)	4.0	1.0	.5	None

2. No distributor shall sell or deliver any milk at the increased prices provided for under section 1 hereof until and unless the following requirements have been met:

(a) With respect to a distributor who buys directly from a producer, until and unless he shall have purchased or contracted to purchase fluid milk from a producer at a price of 41¢ or more per cwt. in excess of the highest price paid in March 1942, and shall have reported such fact to the Wisconsin State Office of the Office of Price Administration or a duly authorized representative thereof.

(b) With respect to a seller at retail purchasing milk from a distributor at wholesale until and unless he shall have purchased or contracted to purchase milk at a price increase. In no event shall the maximum price of such a seller at retail be increased by more than the highest increase in cost to himself.

3. Every person selling milk in bottles or paper containers to a seller at retail shall furnish to each such purchaser of milk a statement which may be substantially in the following form:

The prices for milk have been increased in the amounts indicated below pursuant to permission of the Office of Price Administration. You are permitted to increase your prices by the same amount.

	Price increase
Gallon	------
Quart	------
Pint	------

4. The foregoing order shall apply to sales and deliveries of milk in the following areas. The territory within the city limits of the cities of Eau Claire and Chippewa Falls, Wisconsin, and within one mile from the city limits thereof, and also the area one mile to both sides of that part of U. S. Highway No. 53 running between the cities of Eau Claire and Chippewa Falls, Wisconsin.

5. Milk shall mean cow's milk produced, processed, distributed and sold for consumption in fluid form as whole milk. Sales at wholesale or retail shall include all sales whether by producer, distributor or other person of milk in bottles or paper containers.

6. All sellers of milk who purchase milk directly from the producers thereof shall in addition to the statement provided for in section 2 (a) above, file with the Wisconsin State Office of the Office of Price Administration a statement on the 10th day of each month beginning with November 1942 of the prices paid by them to producers of milk for all milk purchased during the preceding month.

7. This order shall be effective from the date hereof. It is subject to revocation or amendment by Regional Administrator at any time hereafter upon a finding that butter fat prices have decreased to the point where no diversion of fluid milk is threatened or for other

reasons. This order is further subject to revocation by any Price Regulation issued hereafter, or by any supplement or amendment hereafter issued as to any Price Regulation the provisions of which may be contrary hereto.

JOHN C. WEIGEL,
Regional Administrator.

OCTOBER 22, 1942.

[F. R. Doc. 43-12076; Filed, July 26, 1943; 2:48 p. m.]

[Region VI Order G-6 Under SR 14]

FLUID MILK IN PHELPS, WISCONSIN

Order No. G-6 under Supplementary Regulation No. 14 to the General Maximum Price Regulation. Adjustment of fluid milk prices in Phelps, Wisconsin. (Formerly Order No. 6.)

The Regional Administrator has determined on his own motion after investigation that (1) the use of March 1942 as the base period for the establishment of maximum prices for fluid milk in Phelps, Wisconsin, a city of less than 100,000 population, has established an abnormal differential between the prices charged for fluid milk in Phelps and adjoining cities of approximately the same population; (2) that this abnormal differential threatens to cause a diversion of a material portion of the normal milk supply of Phelps, Wisconsin, from Phelps to other adjoining cities; and, (3) as the result of such diversion and threatened diversion, a shortage of fluid milk in Phelps exists or is imminent.

Accordingly, for the reasons more fully set forth in the accompanying opinion, and pursuant to the Emergency Price Control Act of 1942 and § 1499.73 (a) (1) (vi) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, *It is ordered:*

1. The maximum prices established for sellers of milk at wholesale and retail by § 1499.2 of the General Maximum Price Regulation are hereby increased by 2¢ a quart and 1¢ a pint.

2. Every person selling milk in bottles or paper containers at an increased price to a seller at retail shall furnish to each such purchaser a statement substantially in the following form:

The prices for milk have been increased by 2¢ a quart and 1¢ a pint by permission of the Office of Price Administration. You are permitted to increase your prices by the same amount.

3. For the purpose of this order, the sale of milk at retail shall refer to any sale of fluid milk to an ultimate consumer of such milk other than an industrial or commercial user. A sale at wholesale shall refer to any sale of fluid milk in bottles or paper containers, whether by a producer, pasteurizer or other person, to any person, including a commercial and industrial user, other than an ultimate consumer.

4. Milk shall mean cow's milk produced, processed, distributed and sold for consumption in fluid form as whole milk.

5. This order shall be effective from the date hereof. It is subject to revocation or amendment by the Regional Administrator at any time hereafter upon a finding that the prevailing prices for fluid milk in cities adjoining Phelps shall have decreased, or for other reasons. This order is further subject to revocation by any Price Regulation issued hereafter, or by any supplement or amendment hereafter issued as to any Price Regulation the provisions of which may be contrary hereto.

6. This order shall apply to all sales and deliveries of fluid milk at wholesale and retail within the city of Phelps, Wisconsin, and within a distance of one mile from the city limits thereof.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of October 1942.

JOHN C. WEIGEL,
Regional Administrator.

[F. R. Doc. 43-12079; Filed, July 26, 1943; 2:49 p. m.]

[Region VI Order G-1 under SR 14, Amdt. 1]

FLUID MILK IN MINOT, N. D.

Amendment No. 1 to Order G-1 under Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Previously known as Regional Order No. 1 under Amendment 34 to Supplementary Regulation No. 14).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered,* That Order G-1 under § 1499.73 of the General Maximum Price Regulation (previously known as Regional Order No. 1 under Amendment No. 34 to Supplementary Regulation 14) be amended by deleting from said order paragraph 5 thereof.

This amendment shall become effective April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of April, 1943.

RAYMOND S. MCKEOUGH,
Regional Administrator.

[F. R. Doc. 43-12071; Filed, July 26, 1943; 2:50 p. m.]

[Region VI Order G-2 Under SR 14, Amdt. 1]

FLUID MILK IN RAPID CITY, S. D.

Amendment No. 1 to Order G-2 under Supplementary Regulation No. 14 to the General Maximum Price Regulation. Previously known as Regional Order No. 2 under Amendment 34 to Supplementary Regulation No. 14.

For the reasons set forth in an opinion issued simultaneouly herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered,* That Order G-1 under § 1499.73 of the General Maximum Price Regulation (previously known as Regional Order No. 2 under Amendment No. 34 to Supplementary Regulation 14) be amended by deleting from said order paragraph 5 thereof.

This amendment shall become effective April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of April 1943.

RAYMOND S. MCKEOUGH,
Regional Administrator.

[F. R. Doc. 43-12073; Filed, July 26, 1943; 2:47 p. m.]

[Region VI Order G-5 Under SR 14, Amdt. 1]

FLUID MILK IN EAU CLAIRE AND CHIPPEWA FALLS, WISC.

Amendment No. 1 to Order No. G-5 under Supplementary Regulation No. 14 to the General Maximum Price Regulation. Formerly Order No. 5.

It has been reported to the Office of Price Administration that the recording requirement contained in paragraph C of the order heretofore issued is unduly burdensome by reason of the fact that information relating to the cost of milk purchased by distributors is not available in final form by the 10th of each month succeeding the month in which deliveries were made.

It is accordingly ordered, That paragraph 6 of Order No. G-5 issued on October 22, 1942 be, and it is hereby amended, so as to read "on the 20th day of each month" instead of "on the 10th day of each month".

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of November 1942.

JOHN C. WEIGEL,
Regional Administrator.

[F. R. Doc. 43-12077; Filed, July 26, 1943; 2:50 p. m.]

[Region VI Order G-5 Under SR. 14, Amdt. 2]

FLUID MILK IN EAU CLAIRE AND CHIPPEWA FALLS, WISC.

Amendment No. 2 to Order No. G-5 under Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Previously known as Regional Order No. 5 under Amendment 34 to Supplementary Regulation No. 14.)

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered,* That Order G-5 as

amended, under § 1499.73 of the General Maximum Price Regulation (previously known as Regional Order No. 5 under Amendment No. 34 to Supplementary Regulation 14) be amended by deleting from said order paragraph 6 thereof.

This amendment shall become effective April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of April 1943.

RAYMOND S. MCKEOUGH,
Regional Administrator.

[F. R. Doc. 43-12078; Filed, July 26, 1943; 2:50 p. m.]

WAR PRODUCTION BOARD.

NICOLAUS BRIDGE, SUTTER COUNTY, CALIF.

STOP CONSTRUCTION ORDER

Builder: California Department of Public Works; 401 Public Works Building, Sacramento, Calif.; project: Nicolaus Bridge across Feather River, Sutter County, California.

The Stop Construction order issued July 12, 1943, with respect to the above named project is hereby amended by striking paragraph 1 thereof and by substituting the following:

1. The builder shall neither perform nor permit the performance of any further construction or installation on the project, except that for a period extending to August 1, 1943, and thereafter if expressly permitted by the War Production Board, construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated.

Issued July 27, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-12108; Filed, July 27, 1943; 11:16 a. m.]